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USEFUL INFORMATION

RESPECTING THE STATE OF PENNSYLVANIA.

EDITED BY SAMUEL HAZARD.

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HAZARD'S REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

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For the Register of Pennsylvania.

CHRONOLOGICAL VIEW OF THE ENACTMENTS ON THE SUBJECT OF EDUCATION.

MR. HAZARD,—Having had frequent occasion to refer to the nature and extent of legislation in our state on the subject of education, I have been induced to draw up a *synoptical table* of all the acts, which from the earliest times have been passed in relation to this important subject. As it may possibly be interesting to your readers, and useful to those who may either now or hereafter, be clothed with authority to legislate on this momentous question, I have copied the document for the Register of Pennsylvania.

In presenting the facts to the reader, the order of times in which the laws were enacted, has been preserved; but references are added, when necessary, to other acts having relation to the same subject. The precise titles of the laws as contained in the statute book, is obviously not important; and a concise statement of the general purport has been preferred. The amount of money, and the number of acres of land granted in the endowment of institutions, are expressed in separate columns. The number of trustees assigned to each incorporated institution is also generally given, and a column of references to the places where the documents will be found at large, is subjoined. (The letters L. B. refer to the original records in the archives of the state.)

A few remarks are occasionally inserted when the nature or peculiar tendency of an act seemed to require particular attention. W. R. J.

A tabular chronological view of the constitutional and legislative enactments on the subject of education, since the first settlement of Pennsylvania,—with a statement of the monies and lands appropriated to institutions, for its advancement.

No. of the act.	Time of passing.	Object and character of the enactment.	Amount of monies appropriated.	Acres of land appropriated.	Nos. of trustees.	Remarks and references.
1	April 25, 1682.	Wm. Penn published "his preface to the frame of government," in which he acknowledges that, " <i>that which makes a good constitution must keep it, viz: men of wisdom and virtue,</i> " qualities that, because they descend not with worldly inheritance, must be carefully propagated by a virtuous education of youth." In the "frame" itself, he provides that the governor and provincial council shall erect and order all public schools.				
2	1697.	A corporation was created by the <i>proprietary</i> under the name of "the overseers of the schools."				*The Friends' school in Fourth st. and 10 or 12 other schools in and near Philadelphia, are now (1833) under this corporation.
3	1712.	An act providing, among other things, that all religious societies, assemblies, and congregations of <i>protestants</i> , be allowed to purchase lands and tenements for erecting schools, hospitals, &c.				
4	February 6, 1730.	Another act of similar tenor to that of the preceding was passed, but with more numerous and particular provisions.				
5	May 20, 1767.	An act of the colonial assembly was passed for raising <i>by lottery</i> , a sum of money for building a school house and for other purposes.				
6	February 18, 1769.	An act passed in relation to a school house for the High Dutch church in Philadelphia.				

No. of the acts.	Time of passing.	Object and character of the enactment.	Amount of money appropriated.	Acres of land appropriated.	Nos. of trustees.	Remarks and references.
7	September 28, 1776.	The first plan or <i>frame</i> * of government this day adopted, contained a provision that "a school or schools shall be established in each county."				* Sec. 44, chap. 2.
8	November 27, 1779.	An act to confirm the estates and interests of the college, academy, and charitable school of Philadelphia, and to amend and alter the charter, conformable to the revolution, and to the constitution and government of the commonwealth, and for erecting the same into an university.				This act was founded on a suggestion of the executive council that the growing attention of other states to education had attracted the youth from this.
9	March 16, 1780.	An act correcting a misnomer in the preceding law.				
10	September 9, 1783.	Dickinson college at Carlisle incorporated. Charter recorded in Law Book, No. II. p. 110—2d Bioren, p. 71.			41	Persons of all Christian denominations are made eligible as trustees; <i>no person</i> as principal, professor or pupil, to be refused admission on account of religious persuasion.
11	September 15, 1784.	An act to incorporate the public school at Germantown. Law B. No. 2, p. 372.			31	The charter of the Germantown school contains a similar clause respecting religious denominations.
12	September 17, 1788.	An act relative to a lottery for building Newark Academy.				To settle the accounts of commissioners, &c.
13	September 22, 1785.	An act to confirm the divers estates and ground rents to the trustees of the University.	£25,000 or \$66,666 $\frac{2}{3}$			See Nos. 8 and 9. The grant made in conformity with this act was from confiscated estates.
14	April 7, 1786.	An act granting money and land to Dickinson College—and setting apart 60,000 acres of land* for the endowment of public schools.		1400	10,00	Law Book No. 3, p. 103. Bioren II. p. 377. * These were probably the lands afterwards given to academies.
15	September 6, 1786.	Act altering the charter of the public school at Germantown.				See No. 11. Law Book No. 3, p. 139.
16	February 28, 1787.	Act to incorporate the Pittsburg Academy.				L. B. No. 3, p. 181
17	March 10, 1787.	Act to incorporate and endow the German college and Charity school in Lancaster.			10,000	45 L. B. 3, p. 184
18	March 29, 1787.	Act to incorporate and endow the Protestant Episcopal Academy in Philadelphia.			10,000	16 Law B. 3, p. 221
19	September 10, 1787.	Act to endow the Academy at Pittsburg. (Poor scholars to be educated.)			5000	L. B. 3, p. 331

No. of the acts.	Time of passing.	Object and character of the enactment.	Amount of money appropriated.	Acres of land appropriated.	Numbers of trustees.	Remarks and references.
20	September 24, 1787.	Act to incorporate and endow Washington Academy, Washington county. (Poor children to be taught <i>gratis</i> .)		5000	21	L. B. 3, p. 307.
21	February 27, 1788.	Act granting lot of land and a public store house to Franklin College, in Lancaster.		Lot and buli'gs		L. B. 3, p. 337.
22	March 10, 1788.	Act to incorporate and endow Reading Academy, Berks co.		5000	29	L. B. 3, p. 348.
23	October 3, 1788.	Act granting to Dickinson College a lot of ground given in 1773 to nine trustees for a Grammar school.		Lot of ground		See No. 10. L. B. 3, p. 404.
24	February 14, 1789.	Act granting lands to the German Lutherans in and near Philadelphia, for endowing a Charity school.		5000		L. B. No. 3, p. 447.
25	March 6, 1789.	Act to repeal that of Nov. 27, 1779, and to restore the old College, Academy, and Charitable school.				L. B. 3, p. 454.
26	March 26, 1789.	Act to incorporate the College of Physicians of Philadelphia.				L. B. 3, p. 490.
27	March 27, 1789.	Act authorizing Dickinson College to raise a sum of money by lottery.	2000			L. B. 3, p. 509.
28	September, 23, 1789.	Act granting lands to the ministers, trustees, and deacons, of the German Reformed congregation of Philadelphia, for a <i>Charity school</i> .		5000		See No. 27. L. B. 3, p. 543.
29	September 29, 1789.	A supplement to the act granting aid by lottery, to Dickinson College.				L. B. 4, p. 15.
30	February 19, 1790.	Act incorporating a Public school in Huntingdon, Huntingdon co.				L. B. 4, p. 71.
31	1790.	Act to incorporate the Academy and Free school of Bucks co, at Newtown.				
32	February 25, 1790.	The convention for amending the constitution of the state being in session, it was proposed to insert as the VII. Article, the two following sections: Sec. 1. <i>A school or schools, shall be established in each county for the instruction of youth, and the state shall pay to the masters such salaries as shall enable them to teach at low prices.*</i> Sec. 2. <i>The arts and sciences shall be promoted in one or more seminaries of learning.</i>				See minutes of convention. * This section would not have contained the authority to establish <i>Free schools</i> , which appears to have been the object of the framers of the constitution.
33	February 26, 1790.	In convention this day, the <i>first</i> of the preceding sections was superceded by the following, viz. <i>The legislature, as soon as conveniently may be, shall provide by law for the establishment of schools throughout the state, in such manner that the poor may be taught gratis.</i>				Hence the adoption of the actual provision of the constitution (as in <i>this number</i>) for the <i>first</i> section, and the second of the preceding article, in regard to higher institutions. No mention is made of <i>schools for the poor</i> .

No. of the acts.	Time of passing.	Object and character of the enactment.	Amount of money appropriated.	Acres of land appropriated.	Nos. of trustees.	Remarks and references.
34	Sept. 30, 1791.	Act uniting into one body the trustees of the University and those of the College, Academy, and Charitable School in Philadelphia, under the title of the trustees of the University of Pennsylvania.			25	The Governor of the state for the time being is made <i>ex officio</i> President of the board.—L. B. 4, p. 263. 3d Bioren, p. 53.
35	Sept. 30, 1791.	Act for the relief of Dickinson College.	\$4000			
36	April 8, 1793.	Act allowing the trustees of the Pittsburgh and Washington Academies, to <i>locate</i> their lands west of Allegheny and Ohio rivers.				See Nos. 19 and 20. L. B. 5, p. 84.
37	April 11, 1795.	Act for granting relief to Dickinson College, (10 poor children to be educated <i>gratis</i> .)	5000			Bioren, 3d p. 119. L. B. 5, p. 423.
38	March 20, 1797.	Act for the relief of Washington Academy, (10 Poor Scholars.)	3000			L. B. 6, p. 159.
38	March 16, 1798.	Act granting aid to the Academy and Free School of Bucks county. (10 Poor Children to be instructed.)	4000			L. B. 6, p. 297.
40	March 16, 1798.	Act granting relief to Pittsburg Academy, (10 Poor Children to be instructed.)	5000			Bioren, 3, 316. L. B. 6, p. 315.
41	March 16, 1798.	Act to raise <i>by lottery</i> a sum of money for the purpose of building a school house in Hanover, Montgomery county.	2750			L. B. 6, p. 252.
42	March 1, 1799.	Act to establish and endow York Academy. (7 Poor Children to be taught <i>gratis</i> .)	2000			L. B. 6, p. 350.
43	April 5, 1799.	Act for the relief of Chambersburg Academy, (5 Poor Children to be taught.)	2000			L. B. 6, p. 433.
44	January 15, 1802.	Act for establishing Jefferson College at Canonsburg, Washington county.				L. B. 8, p. 19.
45	March 1, 1802.	Act to provide for the Education of poor children <i>gratis</i> .				L. B. 8, p. 60.
46	April 2, 1802.	Act to establish a Seminary of Learning at Meadville.				L. B. 8, p. 98.
47	March 8, 1803.	Act to raise by lottery a sum of money to complete the building of Bustleton Academy.	5000			L. B. 8, p. 241.
48	March 8, 1803.	Act establishing Beaver Academy.	500		11	Pamphlet laws of 1803, p. 349, and 3d Bioren, p. 429.
49	March 24, 1803.	Act for the relief of Dickinson College. State lends 6000 dollars to said College, on mortgage of lands.				See No 14. L. B. 9, p. 83.
50	January 20, 1804.	Act establishing Northumberland Academy.				Pamphlet laws, 1804, p. 24. L. B. 9, p. 280.
51	March 29, 1804.	Act to provide for the more effectual education of the poor <i>gratis</i> .				L. B. 9, p. 476.
52	March 29, 1804.	Act to incorporate Norristown Academy, Montgomery county.				L. B. 9, p. 554.
53	January, 8, 1805.	Act to establish Bellefonte Academy, Centre county.				L. B. 10, p. 49.

No. of th. acts.	Time of passing.	Object and character of the enactment.	Amount of money appropriated.	Acres of land appropriated.	Nos. of trustees.	Remarks and references.
54	February 1, 1805.	Act to raise money by lottery for building two school houses in Womelsdorf.				L. B. 10, p. 55.
55	February 11, 1805.	Act granting a sum of money to Norristown Academy.	2000			L. B. 10, p. 55.
56	February 11, 1805.	Act granting aid by lottery to the Union Academy, Doylestown, Bucks county.	3000			L. B. 10, p. 53.
57	March 14, 1805.	Act granting aid by lottery to Pennepack school.				L. B. 10, p. 101.
58	April 5, 1805.	Act granting money to Easton Acad.	2000			L. B. 10, p. 183.
59	April 4, 1805.	Supplement to the act empowering the trustees of Crawford county, to erect buildings for a seminary of learning.				Increasing the number of trustees. L. B. 10, p. 195.
60	January 9, 1806.	Act granting money to Bellefonte Acad. (9 poor children to be taught <i>gratis</i> .)	2000			L. B. 10, p. 208.
61	February 24, 1806.	Act establishing Greensburg Academy, Beaver county.	600			L. B. 10, p. 244.
62	February 24, 1806.	Act for the relief of Dickinson College loaning 4000 dollars on a new mortgage of 5000 acres of land.				L. B. 10, p. 246.
63	March 1, 1806.	Act granting a sum of money to Jefferson College, (4 poor scholars, &c.)	3000			L. B. 10, p. 252.
64	March 10, 1806.	Act granting a sum of money to Meadville seminary.				L. B. 10, p. 279.
65	March 21, 1806.	Act directing the sale of certain lands belonging to Beavertown Academy.				L. B. 10, p. 331.
66	March 28, 1806.	Act for establishing Washington College, in Washington county, and vesting all the property of Washington Academy in said College.				See Nos. 20, 36 and 38. L. B. 10, p. 352.
67	March 11, 1807.	Act granting a sum of money to Reading Academy.	2000			L. B. 10, p. 461.
68	March 19, 1807.	Grant of money to University of Pennsylvania, for establishing a botanic garden.	3000			See No. 13. L. B. 10, p. 478.
69	March 19, 1807.	Act to establish and endow Wilkesbarre Academy, Luzerne county.	2000			L. B. 10, p. 479.
70	March 24, 1807.	Act relative to the leasing of certain lands for the purpose of educating poor children in Falls township, Bucks county.				L. B. 10, p. 481.
71	March 31, 1807.	Meadville Academy established.			15	L. B. 10, p. 484.
72	April 7, 1807.	Act granting a sum of money to Union Academy at Doylestown, Bucks co. (3 poor children to be taught <i>gratis</i> .)	800			L. B. 11, p. 20.
73	February 4, 1808.	Act establishing Uniontown Academy in Fayette county, (poor children to be taught <i>gratis</i> .)				L. B. 11, p. 166.
74	February 15, 1808.	Act to raise money by lottery for building a school house in Whitehall township, Northampton county.				L. B. 11, p. 173.

No. of the acts.	Time of passage.	Object and character of the enactment.	Amount of money appropriated.	Acres of land appropriated.	Nos. of trustees.	Remarks and references.
75	February 15, 1808.	Act to raise money by lottery for building school house at Bedford.	4000			L. B. 11, p. 174.
76	February 22, 1808.	Act to raise by lottery a sum of money for building school house in Shippensburg.				L. B. 11, p. 184.
77	March 21, 1808.	Lottery granted for a school house in Mayerstown, Dauphin county.				L. B. 11, p. 202.
78	March 28, 1808.	Supplement to the act incorporating Meadville Academy.				See No. 71. L. B. 11, p. 257.
79	March 28, 1808.	Act for the relief of Northumberland Academy.	2000			L. B. 11, p. 261.
80	February 8, 1809.	Act granting a lot of land in Hempfield township, Westmoreland county, for the use of a school.				L. B. 11, p. 273.
81	April 4, 1809.	Act to establish Harrisburg Academy and to endow the same.	1000			L. B. 11, p. 382.
82	April 4, 1809.	Act to provide for the education of the poor <i>gratis</i> . General law still in force.				Bioren 5, p. 73. L. B. 11, p. 392.
83	March 7, 1810.	Act to incorporate Greensburg Acad. Westmoreland co. (poor children <i>gratis</i> .)	2000		8	L. B. 12, p. 60.
84	March 19, 1810.	Act requiring that German redemptioners shall receive six weeks schooling per annum during servitude.				L. B. 12, p. 97.
85	March 19, 1810.	Act establishing Somerset Academy, county of Somerset.	2000			L. B. 12, p. 131.
86	March 19, 1810.	Act establishing Gettysburg Academy, co. of Adams, (poor children <i>gratis</i> .)	2000		8	L. B. 12, p. 132.
87	March 20, 1810.	Act establishing Bedford Academy, (4 poor children to be taught, <i>gratis</i> .)	2000		8	L. B. 12, p. 172.
88	March 20, 1810.	Act to establish Greene Academy at Carmichael's town, Greene county, (4 poor children <i>gratis</i> .)	2000		6	Trustees to be elected. L. B. 12, p. 176.
89	February 6, 1810.	Butler Academy in the town and county of Butler incorporated and endowed, (5 poor children taught <i>gratis</i> .)	2000		6	Trustees elected by the people. L. B. 12, p. 252.
90	February 13, 1811.	Act granting land in Washington township, York county, for the use of a school.				L. B. 12, p. 268.
91	March 20, 1811.	Meadville Academy established and endowed, (5 poor children to be taught.)	1000			Trustees elected. L. B. 12, p. 298.
92	March 30, 1811.	Chester Academy established and endowed, East Whiteland.	2000			L. B. 12, p. 364.
93	March 30, 1811.	Mercer Academy established in the town and county of Mercer, (5 poor children to be taught <i>gratis</i> .)	2000			L. B. 12, p. 389.
94	March 30, 1811.	Act granting to trustees of Meadville Seminary power to remit a debt, &c.				L. B. 12, p. 361.
95	March 31, 1811.	Act extending the power of the trustees of Greensburg Academy.				L. B. 12, p. 385

To be continued.

PENNSYLVANIA LEGISLATURE.

SENATE.

HARRISBURG, Dec. 17, 1832.

Mr. Miller, from the committee to whom were referred so much of the Governor's message as relates to the proceedings of the people of South Carolina, together with the proceedings of the Convention of that State, and the Resolutions from the House of Representatives of the State, entitled, "Resolutions relative to the Union, and to the Constitution of the United States"—respectfully report,

That they have had the subject embraced in the several references under consideration, and have given to them that mature reflection to which their great and paramount importance to the interests, prosperity and happiness of the people of this State, and of the United States so justly entitle them.

By the proceedings of the late Convention in South Carolina, which have been transmitted to the Legislature of Pennsylvania, by order of that Convention, through the Executive of this State, the right of a single State to *nullify* and render invalid an act of the Congress of the United States, is distinctly and unequivocally claimed, and measures preparatory to the resistance of the execution of the laws of the United States, recommended. This doctrine of *Nullification* or State supremacy, has latterly undergone so much discussion by the most eminent and distinguished statesmen of the Union, that it is difficult, if not impossible, for your committee to adduce any new arguments or reasons in opposition to it. It, however, presents itself to the minds of your committee as one so extremely absurd and revolutionary in its tendency, that they cannot conceive how any statesmen can entertain it as a peaceable and constitutional remedy against what may be supposed oppressive legislation on the part of the general government. It is impossible that one entire sovereignty can exist within another, and both exercise functions of sovereignty without coming in collision with each other.

It is admitted by your committee, that the people of the respective Colonies, in the adoption of the Articles of Confederation, and also in the adoption of the present Constitution, acted as separate, sovereign, and independent communities, and that a majority of the whole Colonies, or States, had no right to control any one of the Colonies or States. It was left to a majority of the people of each Colony or State to determine their own course of conduct, and how far they were willing to surrender a portion of their inherent sovereignty to the people of the whole confederacy. It was on these principles that the first articles of confederation were formed, and subsequently the constitution of the United States. Under the Articles of Confederation it was very soon discovered, that the Federal Government did not possess sufficient powers to effect the objects for which it had been instituted. It had no power to execute its own enactments, or to enforce a compliance with its requisitions. It could act upon the people only through the State authorities.

This inefficiency in the confederative system soon became apparent, and suggested the imperative necessity of the enlargement of the powers of the Federal Government; and the result of which was the establishment of the present constitution of the United States, by which the general government is enabled to execute its own laws, through the agency of its own judicial and executive officers. It now acts as directly upon the people, for all the purposes for which it was instituted, as the state governments.

In the framing of the present constitution many difficulties occurred in relation to the nature and extent of the powers necessary to be vested in the government of the Union. Some of the most eminent statesmen of that day were for vesting in the federal government, powers, which were thought by those who were most tenacious

of the right of the people and of the sovereignty, to be unnecessary and dangerous to the independence of the state. Hence the formation of parties under the denomination of federal and anti-federal. The leaders of each of these parties, as it is always to be expected, in cases of great interest and excitement, ran into extremes, the one claiming powers for the general government tending to consolidation and the destruction of State Rights, and the other resisting the delegation of power indispensably necessary to the efficiency and permanency of the Union. The result of this conflict of opinion was the adoption of our present excellent form of government, and the only questions that can now arise are, in determining the character and extent of the powers which have been delegated and ceded by the people of the states respectively, under the provisions of the constitution, for the benefit of the whole people of the United States.

The great question then that presents itself is, how far is the extent of these powers to be ultimately determined and by whom? Has each state the right to determine for itself the powers it did delegate? We answer unhesitatingly, No. If any one state has the right, then indeed did the patriotic statesmen who established the present constitution, labour in vain. Instead of having transmitted to us a bond of Union, they have given us a bone of contention.

The states having delegated a portion of their original and inherent sovereignty to the Union, it has become vested in the general government for the benefit of the whole people of the United States, and cannot be again resumed by and at the pleasure of any one of those who made the grant. Nor can the grantors be admitted to judge of the extent of the grant, without admitting the principle at once destructive of our whole system of national government.

If the right of the people of a single state to *nullify* and render invalid the acts of congress and laws of the United States be admitted, our bond of union under the present constitution, is no stronger than it was under the original confederation. Under the confederation, the action of the state government was necessary in many of the most important concerns of the general government, to give efficacy to the enactments of congress, and it was therefore optional with the states to carry them into effect or not. There was no compulsory process that could be resorted to by the federative government to enforce the execution of its own laws. This was the defect complained of, and the remedy was sought and found in the adoption of the present constitution. But although the action of the state authorities is not now necessary to carry into effect the laws of the Union, if we admit their right under any circumstances to interpose and prevent their execution, nothing has been gained by the change in our federal system. By an act of *nullification*, a state can at its own pleasure, place itself in the same independent attitude that it stood under the confederation, when by refusing to carry the requisitions of congress into effect, the operations of congress were stopped and entirely *nullified*.

Happily, however, for the glory and prosperity of our beloved country, our bond of Union is not so feeble. It contains no such absurdities. It is cemented by the patriotism and wisdom of the sages and statesmen of the revolution. Let us look to the instrument itself, and examine its provisions in relation to these questions.

By the 2d section of the 6th article of the constitution of the United States, it is declared "this constitution and the laws of the United States which shall be made in pursuance thereof, and all the treaties made, or which shall be made under the authority of the United States, shall be the supreme law of the land; and the judges in every state be bound thereby, any thing in the constitution or laws of any state to the contrary notwithstanding." And by the 2d section of the 3d article of the same, it is declared, that "The judicial

power shall extend to all cases in law or equity arising under the constitution and laws of the United States, and treaties made or which shall be made under their authority."

Here, then, it would seem to your committee, the questions of who or what power shall decide ought to rest. It does not seem to be one admitting of any doubt. The supremacy of the Constitution and Laws of the United States over state laws, and the right of the Supreme Court of the United States to decide all questions arising under them, are not claimed by implication, but are declared and given by the express and unequivocal terms of the Constitution, which has been solemnly ratified by the people of the several states.—How then can the doctrine of *nullification* be entertained as a peaceable and constitutional remedy, against any supposed encroachment on the rights of the states by the general Government? It cannot be a constitutional remedy, for it is plainly and palpably in opposition to the express provisions of the Constitution. And it cannot be a peaceable one, for its inevitable tendency is to bring the state and United States authorities into immediate and direct contact with each other. Let the advocates of it mystify it as they may, by metaphysical reasoning upon fine spun theories, it is in plain common sense terms treason and rebellion against the government of the United States, and the government of the states, or the proceedings of State Conventions, can afford the individuals, who resist the laws of the Union, no more protection than an unlawful assemblage of individuals can protect one of their own number from the punishment incident to the violation of the laws of their country.

It may be asked, however, if we adopt this doctrine, what barriers there are to prevent the general government from assuming power not delegated, and subverting the reserved rights of the states. Against such encroachments there are many constitutional checks existing. If the immediate representatives of the people, which compose the House of Representatives, should err, there is a strong, and powerful check found in the Senate, where the sovereign power of each state is equally represented. And after this, before any enactment can take effect, it must receive the approbation of the executive. And lastly, it may be reviewed and determined by the Supreme Court. These checks, your committee conceive, are sufficient at least to prevent the evils of hasty and inconsiderate legislation. But they are of opinion that we must mainly rely upon the virtue, intelligence and justice of the people, and those to whom they delegate their authority. If the great mass of the people of these United States shall ever become so corrupt and entertain so much morbid sensibility as to look with indifference upon acts of gross and flagrant injustice committed upon any portion of their fellow citizens, and to justify plain and palpable infractions of the Constitution, our liberties will soon become extinct, and no constitutional barriers that the wisdom of man can devise will be sufficient to protect them.—Heretofore the healthy and sound state of public opinion has been sufficient to correct all palpable abuses of power, and to restrain the agents of the people generally within their appropriate and legitimate spheres of action. And that such will always continue to be its operation upon public functionaries, your committee do not permit themselves to doubt. With regard to the Tariff Laws of the United States, which are assigned as the cause of the dissatisfaction and excitement now existing in South Carolina, your committee will make but a few observations. It is believed that the constitutionality of a system of impost duties designed to foster and encourage domestic manufactures, and to give energy to the industry of our own citizens has been maintained by every President of the United States, from the days of Washington down to the present period. On this point the opinion of the present venerable and patriotic chief magistrate have been frequently, clearly and un-

quivocally expressed in favour of its constitutionality.—It is also believed that a majority of every Congress that has ever assembled under the constitution of the United States, have maintained the same constitutional opinions. Your committee, therefore, think the question is so entirely settled, that it ought not even to be considered as any longer open to discussion.—The proper degree of protection, however, necessary to be given, is a question not so easily determined, and is one which will always cause many conflicting opinions, which must necessarily arise from the diversified interests and pursuits of the citizens of the various parts of our widely extended territory. Your committee, however, have been taught to believe that the best interests of the Union are identified with the protective system of the country. To it much of the present prosperity and wealth of the nation ought to be attributed. To preserve the harmony and integrity of the Union, and to dispense its blessings and impose its burdens as equally as possible upon all, a proper spirit of conciliation and compromise ought to be cultivated. But your committee are decidedly of opinion that any compromise which would essentially injure the great body of our domestic manufactures, and thereby check the enterprise and industry of our citizens, would fail to be productive of any good consequence. If it should allay the feverish excitement and partial complaints in one quarter, it would be productive of greater and more widely extended evils in other portions of the Union.

Your committee are, therefore, of opinion, that it is the true interest of the country to adhere to the policy of protection under all circumstances, so far as to foster and sustain all the essential and profitable branches of home industry.

Since the subjects embraced in this report were referred to your committee, they have seen and read with entire satisfaction the Proclamation of the President of the United States, issued in consequence of the proceedings of the South Carolina Convention. Of the sentiments contained in this proclamation, the Senate have already expressed that marked and decided approbation, by ordering it to be placed on their Journal and a large number of copies to be printed for distribution. In the opinion of your committee, the constitutional opinions advanced and maintained by the President in this Proclamation are such as must be entertained by every patriot and lover of this happy Union. That the people of Pennsylvania will sustain him in the opinions therein expressed, and in all constitutional measures, whether moral or physical, to enforce his determination "*that the Union must be preserved*," no one acquainted with their patriotism and intelligence can doubt.

The resolutions from the House of Representatives are herewith reported, without amendments, and with a similar title.

The Senate resolved itself into a committee of the whole on these resolutions, Mr. Cunningham in the chair. They passed the committee, and were adopted on a second reading, with one amendment. They were then read a third time, and passed unanimously. Yeas 31.

TREASURER'S REPORT

On the Finances of Pennsylvania, made on the 7th of December, in pursuance of an act of the legislature, requiring the State Treasurer to make an annual report on the subject of the Finances.

In obedience to the provisions of an act requiring the State Treasurer to make an annual report, on the subject of finance, the following report is respectfully submitted to the Legislature:

By the provisions of previous acts of the Legislature, it was made the duty of the Auditor General to make annual reports, exhibiting the state of the public finances; and subsequently, the commissioners of the Internal Improvement fund were required to make report, on the

subject of finances connected with the objects of that fund, which would appear to be embraced within the scope of the act requiring the present report. Anxious to meet the views of the legislature, the State Treasurer concluded that it would be more satisfactory, and would perhaps best comport with the intention of the act, that this report should embrace the several subjects connected with the state of the treasury and the finances of the state, necessary to support the public credit and the faith of the commonwealth.

I.—Of the Public Debt.

Total amount of the public debt of the state, was on the 31st Oct. 1832,	\$17,405,628 64
Viz: On loans not pertaining to canal purposes,	1,840,000 00
On stock loans pertaining to canal purposes,	15,335,661 88
Debts due to turnpikes, bridges, rivers and miscellaneous objects,	229,966 76

II.—On the Public Property of the Commonwealth.

Bank stock,	2,108,700 00
Turnpike stock,	2,060,100 00
Canal stock,	200,000 00
Bridge stock,	421,800 00
	<u>\$4,790,600 00</u>

To which may be added the debts of the commonwealth for lands, variously estimated at from one to three millions of dollars.

III.—Of the Public Revenue, and Expenditures for the fiscal year ending on the 31st Oct. 1832.

The receipts into the treasury during the financial year, ending 31st Oct. 1832, were

Viz: Loans for canal and rail-road purposes,	3,188,213 34
Bequest by the late Stephen Girard,	300,000 00
Premiums on loans,	355,462 80
Ordinary and miscellaneous revenue,	751,213 08

Add balance in treasury 1st Nov. 1832,

Making an aggregate of	\$4,719,372 04
Total disbursements for same year,	4,602,204 88

To wit: Loans for canal and rail-road purposes,	3,188,213 34
Bequest by Stephen Girard, applied to do.	300,000 00
Paid to the commissioners of the internal improvement fund, to pay interest (pledged funds,)	589,050 44
Do. do. per 10th section of act of 22d April, 1829,	93,329 20
For ordinary expenses of government,	431,611 90

Balance in treasury 1st Nov. 1832,

III.—Of the estimates of Receipts and Disbursements at the Treasury, during the current fiscal year, terminating on the 31st of October, 1833, exclusive of future loans, premiums thereon, and appropriations to specific objects, to wit:

Balance of loans per act of 30th March, 1832,
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for canal and rail road purposes,	598,680 00
Premiums on said balance,	84,294 14
Bonus payable by the "Girard Bank,"	25,000 00
Do. "Western Bank of Philadelphia,"	25,000 00
Do. Manufacturers and Mechanics Bank of the Northern Liberties,	15,000 00
Ordinary and miscellaneous revenue,	1,069,385 00
Add balance in the treasury, 1st Nov. 1832,	117,167 16
	<u>1,934,526 30</u>
Estimated expenditures for the same year, to wit: Balance of loan for canal and rail-road purposes, per act of 30th March 1832,	598,680 00
Revenue, pledged for payment of interest,	485,394 14
To pay estimated deficiency of interest on internal improvement debt per act of 22d April, 1829,	95,444 38
To refund treasury of the board of canal commissioners, per act of 14th June, 1832,	135,897 16
For ordinary expenses of government,	412,552 67
	<u>1,727,868 35</u>

Which will leave a balance in the treasury, 1st Nov. 1833, of

To exhibit the state of the Treasury on the first of February and the first of August next, the periods fixed by law for the payment of interest on the public debt, there is herewith transmitted a tabular statement,* by which it will appear that after payment of the ordinary demands on the Treasury, and the interest then due on the public debt, there will be a balance in the Treasury on the first of February next of \$382,650 16 cents, and on the first of August, after deducting ordinary expenses of Government, interest due on public debt and refunding to the Canal Treasury \$135,897 16 cents, the amount of funds for construction of canals and rail-roads, applied to payment of interest due first of August last per act of 11th June 1832, there will be a balance in the Treasury of \$66,345 07 cents, and on the 1st of November 1833, of \$206,657 95 cents.

A tabular statement* is also transmitted exhibiting the appropriations and balances of appropriations, by former acts; and estimates of the probable amount which will be required during the current financial year; the total amount of these appropriations is \$229,966 76 cents, estimated amount required in 1833, \$50,282 67 cents, which is embraced in the estimated expenditures of the current year.

If the estimates of the receipts and expenditures at the state treasury for the fiscal year 1833, are not founded in error and deception, the financial condition of the treasury exhibits a state of prosperity highly propitious to the credit of the Commonwealth; and does not at present as is believed justify a resort to any plans for the increase of the revenues of the state. The state treasurer is not in the possession of any information which would enable him to suggest any alteration in the laws providing for the collection of the public revenues, by which any improvement could be effected; nor is he aware of any defect of those laws unless it may be in the want of authority to enforce a more

* These we have not yet received.

prompt and speedy payment into the treasury of the revenue derived from the collateral inheritance tax.— And it is suggested whether it would not be proper to provide in future by law, for the payment of the revenues received by county treasurers semi-annually in order to meet the payment of interest on loans which fall due the first days of February and August in each year.

The estimates of the receipts and expenditures are predicated on those of previous years, in all instances where they are permanent and nearly uniform in amount, that being the usual and only basis upon which they can with safety be made.

It is confidently believed that a careful comparison of the actual receipts and expenditures at the treasury for the last year with the estimates of the receipts and expenditures at the treasury for the current fiscal year, will satisfactorily establish the results as exhibited in (*the tabular statements.*) In many of the items, the estimates of the current fiscal year are made much lower than the actual receipts of the past year, and in but very few of these items, is there any material advance; the only instances of these advances in the estimates are auction duties, lands and land office fees, collateral inheritance tax and canal tolls.

The visitation of that awful scourge, the Asiatic cholera, it is well known, produced more particularly in the commercial metropolis of the state, a stagnation of business which seriously affected the amount of auction sales and extended its influence over every other department of business, and justifies as is believed a moderate advance in this item in the receipts from this source for the current year. The receipts into the treasury for lands have usually fluctuated more than any of the other ordinary sources of revenue, a fluctuation depending on the state of the times, and frequently affected by the legislation on the subject. The years previous to the expiration of the laws for extending the time for patenting lands, have always been more fruitful in the receipts from this source, and the estimate of this item of receipt has been predicated on the average of the receipts from this source of the last several years, having regard to the fact, that the present law for the extension of the time for patenting lands expires during the present fiscal year.

The advance of the estimate of the receipts for the current year from the collateral inheritance tax is founded principally on information of the amount which will certainly be received during the current year, from the estate of Stephen Girard.

With regard to the estimates of the receipts, from tolls to be derived from the public works during the current year, the State Treasurer is aware that exceptions will be taken to it, and that many will consider it illusory. Under these impressions, the estimate has not been made without a diligent inquiry for information on the subject, and a cautious investigation of the data on which the estimate is founded; it is sustained by the united judgments of the Canal Commissioners and the Commissioners of the Internal Improvement fund, and is submitted to the Legislature with confidence, in the face of all the disappointments which have been experienced in all previous estimates of the receipts from this source of the revenue.

In performing the duty assigned by the 1st section of the act, requiring the State Treasurer to report 'plans for the support of public credit, and for improving and increasing the revenues' his attention has been necessarily directed to the state of the public works, and to the prospects of the revenue to be derived from them in future—on the judgment which shall be formed on this subject, will depend the necessity of increasing the public revenues. The ordinary revenue exceeds the ordinary expenses of the government; and the necessity of increasing the public burdens, will depend on the decision of the question, whether the extraordinary appropriations to construct the public works are to prove

a barren expenditure, or a profitable investment. The policy of the state in originally embarking in so extensive a scale of internal improvement is a question of legislative decision. The public works have been commenced and successively prosecuted for a series of years, until upwards of \$15,000,000 have been expended, and the views of the State Treasurer are confined to the inquiry, how far they are likely to prove a source of revenue to the commonwealth. That the system of improvement, as originally devised and subsequently prosecuted, was more extensive than was consistent with a due regard to public economy, is now generally admitted by its friends, and was always considered so by a respectable minority of the legislature. It must certainly be admitted, that its magnitude has greatly enhanced its cost, and been the means of occasioning an unfortunate delay in the completion of any one part of its various ramifications. Six years have already transpired since the commencement of the construction of the public works, and never until the month of October of the present year, has a single line of communication been completed, to wit, the Delaware division of the Pennsylvania canal.

Of the disjointed parts of canals, which have been in partial operation for several past seasons, they have only enjoyed the partial benefit of the local trade of the towns and villages situate in their neighborhood, and have been subject to the interruptions to which all new works of the kind are liable. In consequence, too of the great extension of the works, much injury and loss has been sustained, in the progress of their execution, by the unfinished state they were necessarily permitted to remain in, in seasons of high water and freshets. In the midst of all these unpropitious circumstances attending the execution of the public works, the visitation of the unprecedented flood of the last spring produced new disasters; and the immense loss sustained by its wide spread destruction, and the delays and disappointments necessarily consequent, have greatly added to the cause of distrust in the public mind, and seriously impaired confidence in their future permanency and stability. It was an awful visitation, unparalleled in the history of the state. The high lands, never before exposed to injury, experienced its ravages; farm houses with their occupants, were swept away, and exposed in many instances to destruction; and cities, towns and villages, were inundated and suffered incalculable injury. The amount of individual losses greatly exceeded those sustained by the state, in destruction done to the public works. And if populous cities, towns and villages, and individual improvements have been built up and erected without any security to guard against the ravages of such a flood, it certainly ought not to be considered a want of foresight in the state to have erected its public works unprotected against such occurrences. It ought to be regarded as a visitation chargeable to a casualty of rare occurrence, a misfortune in which individuals suffered in common with the public, and against the effects of which, in the erection of works of art, it is no more required to provide, than it would be to provide against the ravages of an earthquake, or a whirlwind.

The great delay produced by the destruction done to the public works, by this unprecedented flood, has operated most injuriously to prejudice the system of internal improvement. Estimates had been formed and sanguine hopes entertained of a considerable amount of revenue to be derived the last year from the public works, and the hopes thus formed have again been deferred.

In consequence of the injury done to the Western division of the main line which had previously been in active operation, the navigation on it was suspended and not resumed until the 28th of July last, a season unpropitious to active business. The division from Huntingdon to Duncan's Island suffered also, and its navigation was not commenced as early as it otherwise would have been; and the interruption of the Western divi-

sion, was deprived of much of the business it would have enjoyed in case that part of the canal had been navigable. By the injury sustained by the Shamokin and Nanticoke dams, the branches were deprived of the navigation of their respective canals, except for a very short period; and the main trunk from Northumberland to Duncan's Island dependant on the branches, exhibited but little activity. The only part of the Pennsylvania canal which may be considered as enjoying an uninterrupted navigation during the whole season, was that part from Duncan's Island to Middletown; as it forms a small part of the whole, it had little opportunity of development.

All these matters will be exhibited in detail in the report of the canal commissioners. They are adverted to here to explain the causes of the disappointments which have heretofore been experienced in the expectations formed of the receipts of tolls from the state improvements, and more particularly of the failure of the past year in the production of tolls, which owing to the unfortunate circumstances referred to, amounted to \$50,909 57. The picture of the past, it is admitted is not flattering, but it is believed the prospects of the future are more cheering, and justify the indulgence of the hope that the cup of disappointment is full.

It is represented that there will be open for navigation and travel at the commencement of the ensuing season, upwards of 500 miles of canal and rail-road; the whole of the water communication on the main line is in a navigable state, and it is stated by the engineer on the line, that a single track of rail-way will be laid in all the month of July next, across the mountain from Hollidaysburg to Johnstown, the respective points of termination of canals. The Shamokin dam has been rebuilt on a plan which it is believed will ensure its future permanence. The North Branch extends through the greatest part of the extensive coal region of the Wyoming valley, the West Branch is navigable to a point near Muncy town, and the canal to Columbia is now completed. The Delaware division of the Pennsylvania canal is now in operation, and 19 miles of the Philadelphia and Columbia rail-road have been travelled for some time past, and the remainder of it is in a state of considerable forwardness.

In forming an opinion of the future productiveness of the public works, the character of the country through which they pass, as regards fertility of soil, variety of products, the abundance of mineral wealth, and the amount of foreign trade which from their locality and extent they are destined to transport, are proper subjects for inquiry. In most of these particulars, the state of Pennsylvania enjoys a superiority over every other state of the Union, and it is believed that a just comparison of the experience of the canals in this and other states, with the prospects of the state canals, will exhibit results favorable to them as a source of public revenue.

Of the main line of Canal to connect the Eastern and Western waters.

The main line of the Pennsylvania canal to connect the east and the west, has ever been deemed an object of great state importance. It has always been regarded with a more favorable eye than the Branch canals, and has frequently received in the Legislature, the support of the many who were regarded as unfriendly to the system. It is the most direct, and by far the shortest chain of connecting the tide waters of the eastern with the great waters of the western world. These advantages, it is believed, will certainly counterbalance the superiority in the diminished amount of lockage of the New York canal. At an early period of the last spring, an enterprising individual of this state, organized a line of boats for the transportation of merchandize and passengers between the cities of Philadelphia and Pittsburg—the plan was partially deranged by the suspension of the navigation of the Western division, oc-

casioned by the spring flood, and was still further interrupted by the imperfect state of the Union canal for a short time; under all these adverse circumstances, a very considerable amount of merchandize and produce was transported between the two cities, with increased diminution in the former prices of transportation, and with great safety and expedition. The same individual is preparing for the next season, a daily line of boats, and another daily line is in the progress of organization. Although the experiment made this season was partial, and under adverse circumstances, sufficient evidence was afforded to prove, that along this line of communication, merchandize and produce can be transported between Philadelphia and Pittsburg, cheaper and with more certainty and safety than any other route yet discovered. If such should be the fact, it cannot be doubted that the main line of communication is destined to become the great thorough fare of the transportation of the rich and various products of the Ohio and its tributaries, and the immense amount of merchandize necessary for the consumption of those populous regions.

In estimating the future productiveness of the main line of canal enjoying the benefits of the local trade of the country through which it passes, and the amount of foreign trade which it must command, it cannot be considered unreasonable or chimerical to assume that it will accomplish what has already been achieved by the New York canal, enjoying a transportation principally of a local character. It will be recollected that for some time after the New York canals were in operation, the most disastrous results were foreboded; these forebodings have long since vanished, and the canals of New York have rapidly increased in productiveness, and during the year 1831, realized in tolls, \$1,223,810 98. The main line will be fairly tested the ensuing season, should no such dire calamity occur as that which visited it the last spring.

Of the Branches.

The great inducements for the construction of the Branch canals, was to render available the rich resources of those regions in mineral wealth, particularly anthracite and bituminous coal. The North Branch canal now reaches the heart of the immense coal region co-extensive with the whole valley of the Wyoming. In the extent and quality of coal, and the facilities of mining and transportation, the valley of the Wyoming is considered to possess advantages superior to any region of the state. By the completion of the canal to Columbia, there will be opened to this region a market for coal embracing a large portion of the rich valley of Cumberland, west of the Susquehanna, and the populous counties of Dauphin, Chester, and Lancaster; and the period is not far distant when it will have the city of Baltimore, and the towns watered by the Chesapeake, to contribute to the growing consumption of this important commodity. Within the last five years, the most extraordinary developments have been made in the trade of this article. In the last year, results have been produced which would seem to place at defiance all calculation of the increase of its demand and consumption. There has already been transported during the present year on the Schuylkill canal, to the city of Philadelphia, 210,000 tons of anthracite coal, and the supply of this large amount falls far short of the demand. The tolls on this canal of 100 miles in extent, it is believed will yield this year nearly \$300,000, and the market price of the stock has reached \$210 for \$100 paid.

In the spring and during the summer of the present year, the stock of the Delaware and Hudson canal ranged from 65 to 80 dollars for 100 paid; its market price is now quoted at 128 per cent. an increase which is entirely attributable to the advantages of the transportation of coal. What is there to prevent the North Branch canal from realizing a greater advance in the productiveness of tolls? The Wyoming region is infinitely

more extensive than the Lackawanna, and possesses much greater facilities in mining and transportation. The capacity of the Delaware and Hudson canal is adapted to boats of from 20 to 25 tons burden, that of the North Branch canal is adapted to boats of 75 tons burden, and boats laden with that amount have during the present season, navigated that portion of the canal. The lockage of the Delaware and Hudson canal it is believed exceeds 1200 feet, and in addition to this obstruction it is necessary to transport the coal from the Lackawanna mines, a distance of 16 miles to the Lackawanna canal, on a rail-road across a mountain of considerable elevation. The lockage of the canal from the mines of the North Branch to Columbia, is 250 feet, and the distance from thence to the Susquehanna canal extending to tide water, is not exceeding 28 miles. The decided superiority of this branch of the Pennsylvania canal, over the Delaware and Hudson in its greater capacity and extent of lockage; and the same superiority of the coal region of the Wyoming valley over the Lackawanna mines, must render this division of the state improvements a source of greater profit to the state than is enjoyed by the Delaware and Hudson canal company; and if there is any faith in the market price of the stock, the investment in this most expensive work would appear to be extremely profitable. The period cannot be far distant, when the coal of this region must find profitable markets in the Atlantic cities, and along the shores of the Chesapeake and its tributary streams. When such an event takes place, this branch of the Pennsylvania canal will form an advantageous comparison with the productiveness of the Schuylkill navigation.

The West Branch division of the Pennsylvania canal passes along one of the richest agricultural districts of the state; when completed to its point of destination, it will afford means of transportation to the most extensive manufactories of iron in the state, and will open a new source of wealth, in the inexhaustible mines of bituminous coal bordering on the Susquehanna. In anticipation of the advantages to be realized by the transportation of bituminous coal from this region to market, a company of rich capitalists of this state and the other states of the Union, have already made large investments, and commenced their operations. They have already succeeded in manufacturing cokes of a superior quality; these cokes have already been experimented on, in a common blast furnace, in smelting from ore, and the result has proved that $1\frac{1}{2}$ bushel of cokes, which cost eight cents per bushel, yielded the same product of metal of three baskets of charcoal, of $2\frac{1}{2}$ bushels to the basket, costing $3\frac{1}{2}$ cents per bushel. The manufacture of cokes is at present carried on by them extensively; and information is received that it is their intention, the next season, to transport their cokes and coal in boats constructed for the purpose, to the entrance of the canal at Muncy dam, and from thence to market by the canal; so that the ensuing season will not prove barren in producing tolls on this division of the state improvements. That it will, on the completion of the canal, afford a rich return of tolls, no person can doubt, who justly estimates the importance of this mineral to the arts and manufactures of this great and growing country.

The Philadelphia and Columbia rail-road is in a state of great forwardness, and a part of it is now in operation. The experience of rail-roads is too limited in this country to form a correct estimate of the productiveness of this part of the Pennsylvania improvements—its location is considered extremely advantageous, and its construction is of the most permanent character; it will enjoy the travel of a large portion of the various products destined to be transported on the Pennsylvania canals to Columbia, and passes through the richest and most populous regions of the state. The praises of the Baltimore and Ohio rail-road have been trumpeted over the Union. What is there to prevent the Philadelphia

and Columbia rail-road from producing equal, if not greater results?

The Delaware division of the Pennsylvania canal, is the only canal completed in the state, and the only one of the state improvements in a situation to develop itself. It was not until the 16th of October last, in a state fit for active operation, and has paid in tolls into the treasury, up to the 31st of October last, \$8,043 19; and there has since been received into the treasury from one collector, \$5,000 from tolls for the last month's navigation; affording, it is believed, an earnest of the productiveness of the other divisions of canal, when they shall be completed. From information received from an official source, it is believed that the Lehigh company will transport on this canal, during the next season, at least 120,000 tons of coal; and the market price of their stock, is now quoted at an advance of 25 per cent.

The divisions of the canal west of Pittsburgh are not in a sufficient state of forwardness, to form an estimate of their productiveness; they have been undertaken in anticipation of multiplying the resources of the state, and yielding a remuneration for the expenditures on them; they pass through a rich growing country, and will command the growing trade of the lakes. The Shenango division is represented to present a more favorable position of forming a connexion with the Ohio canals; a connexion which will bind more closely with the ties of interest and commercial intercourse, two great and important states of congenial pursuits, whose geographical and natural advantages are so eminently adapted to contribute to their mutual aggrandizement in wealth and power. In presenting these views to the legislature, the state treasurer is not aware of any feeling in favor of the system of internal improvement which would lead him to exaggerate the results anticipated from the successful navigation of the state canals. It was made his duty by the act authorizing this report to investigate the subject, and his judgment has been formed by a careful estimate of the vast resources of the state, and the commanding position of the main line to become the great thoroughfare of the east and west; and by a comparison of the future productiveness of the Pennsylvania canals with the actual experience of the canals of other states not enjoying equal advantages.

In forming a judgment on this subject, the attention of the state treasurer has been attracted to the improvement in the present ordinary sources of the revenues of the commonwealth, which must necessarily grow out of the increased activity in business of every description, which will be imparted by the general facilities afforded of cheap transportation, and more particularly in the revenues derived from the city and county of Philadelphia. The importance of a commercial city to the state in which it is located, is no where more advantageously illustrated than in the state of Pennsylvania. Of the ordinary revenue received annually at the state treasury, three-fourths of the whole amount is derived from that district of the state.

To cherish the interest of that great and growing city has ever been a prominent feature of the policy of the state; and its grateful returns to the treasury of the state have established the soundness of that course of policy as a matter of calculation and of interest. Of the inducements to embark in the improvement system of the state, the advantages it would afford to the commerce of the port of Philadelphia, formed no inconsiderable part. Its superabundant capital and wealth, and the high standing of the commercial part of the community for integrity and intelligence, have given to it an extent of business which its locality would not have otherwise commanded.

When to these shall be added the advantages which the state improvements will afford by forming a close connexion between the city and the different parts of the state, and the distant regions of the west, its growth

and prosperity will place it beyond the reach of rivalry, and give to it the character of the commercial emporium of the union; and in proportion to its growth in riches and population will be the increase of these revenues which annually replenish the treasury of the state.

Impressed with the most favorable opinion of the extent of revenue which may be confidently calculated on, to arise in future from the public works, and from the increase of the ordinary sources of the revenues of the state, the state treasurer does not deem it necessary to report any plans for increasing the public revenues, to support the credit of the commonwealth.

If the loans contracted by the state had been lavished on objects which perish in the using of them; then indeed it would be the bounden duty of the legislature to raise extraordinary means not only to pay the interest, but to provide for their extinguishment. But as the loans of the state have been invested in great public works, designed for the benefit of present and future times; works constructed with a view to improve the resources and elicit the dormant wealth of the state, and which experience has proved when advantageously located are productive sources of revenue, all that is required is to provide the means of supporting the faith of the commonwealth as pledged by her laws.

The state of the treasury at the end of the present fiscal year, and the estimates of the receipts and expenditures for the current fiscal year, it is confidently believed, place the credit of the commonwealth on a commanding eminence, and dispense with the necessity at present of forming plans for the future increase of the state revenues.

If, however, a different opinion should be entertained by the legislature of the utility of the public works and the prospects they present of providing future revenue; if notwithstanding their near approximation to completion, it should be considered that the same disappointments will occur which have been heretofore experienced; if in opposition to the experience of all other public works of a similar character, it should be believed that the Pennsylvania canals will continue unproductive of revenues, and if an entire different judgment of them shall be formed from that presented in this report; it will most certainly be necessary to provide extraordinary means adequate to the annual payment of the interest and the extinguishment of the public debt. In such an event the state treasurer is not aware of any plans which can be resorted to, short of that of increasing the present rate of taxes to an extent commensurate with the demands for these purposes.

Confiding in the correctness of the views which he has submitted, he cannot but consider it at present unnecessary and premature. Another season it is believed will test the accuracy of the judgment he has formed, and if, contrary to all human experience on the subject, that judgment should prove to be erroneous, there will be ample time in future to adopt plans to support the credit of the commonwealth by increasing the revenue of the state. That the credit of the commonwealth does not now suffer in public estimation, is abundantly testified by the market price of her public stocks; and a more unerring index of public opinion cannot be required. The last loans bearing an interest of 5 per cent, are now at an advance above their par value of 19 per cent, and all the other previous loans bear an equivalent advance corresponding to their maturity.

There is a new source of revenue, which it is believed will hereafter be enjoyed by the state, which it may not be improper to take into the account, and which ought never to be lost sight of in estimating future means to support the credit of the commonwealth. The public lands of the United States were acquired and purchased by the joint funds, and are

the common property of the several states. The distribution of this property among the several states, according to the ratio of their representations, forms now one of the most prominent subjects of legislation in the congress of the United States. At its last session a bill for the distribution of these lands, passed the senate of the United States, and final action on it was postponed by the house of representatives for reasons not effecting the intrinsic merits of its principles. It is now generally conceded that it will be passed into a law, and carried into effect by congress at its present session. Agreeably to information in official reports on this subject, founded on official returns of the amount and value of those public lands, it would appear that the state of Pennsylvania on the principles of representation, will receive annually from this source a sum not far short of \$300,000.

In performing the duty assigned by the second section of the act, the state treasurer would respectfully state, that he is not aware that any other appropriations are required for the public service of the state, than those necessary for the construction and completion of the public works, the estimates of the amounts for which objects are furnished by the engineers of the respective lines of canals and rail-roads, and submitted annually, in the reports of the canal commissioners to the legislature; in the tabular statements will be found the items of the various appropriations of former years to miscellaneous objects, which have not been called for, and which are subject to be drawn from the treasury, on the performance of the conditions annexed to their respective grants.

As many of these appropriations are of long standing, and it is believed many of them are in a situation never to be required, and others cannot, under existing laws, be demanded, the state treasurer would suggest the propriety of inquiry into their situation and condition.

All of which is respectfully submitted.

A. MAHON, State Treasurer.

Treasury Office, Dec. 6th, 1832.

PHILADELPHIA DISPENSARY.

ANNUAL REPORT.

Four thousand one hundred and forty-eight patients have been under the care of the Dispensary since last report, viz—

Remaining from last year,	17
Admitted since that time,	4,131
	<hr/> 4,148

Of whom the number recovered is,	3,724
Relieved,	82
Dead,	100
Irregular and uncertain,	233
Remaining under care,	9
	<hr/> 4,148

RECEIPTS.

Balance received from Thomas Biddle, late Treasurer,	31 59
Annual Contributions,	388 60
Interest on Bonds and Mortgages,	300 00
Ground Rent,	90 00
Dividends on Stock,	369 24
House Rent, including proportion of income of Real Estate, bequeathed by James Wills,	493 78
Cash on account of Sarah Zane's legacy of \$100,	51 00
Cash on account of Richard Humphrey's legacy of \$100,	97 50
	<hr/> \$1,821 71

EXPENDITURES.

House Expenses,	\$424 66
Medicines,	791 79
Apothecary's Salary,	400 00
Water Rent,	5 00
Taxes and repairs on Zane street,	109 08
Stationary,	33 07
Commissions on Collecting,	22 80
Balance due by the Treasurer,	35 31

\$1,821 71

For a series of years past, the contributors to this truly beneficent and effective charity have been steadily decreasing until at the present time they are reduced to considerably short of one hundred persons. The managers would therefore respectfully call the attention of their fellow-citizens to the claims of an institution which has now for almost half a century continued to dispense its benefits to a large and suffering class of the community. From the report it will be seen that the number of patients who have received the succors of the Dispensary this year, exceeds that of the previous one by upwards of seven hundred. It will be also observed by a reference to the list of patients, that an unusually large number has this year been placed under the head of irregular and uncertain—this has not arisen from any negligence on the part of the officers of the institution, but from the sudden and lamented death by Cholera, of Doctor MAXWELL KENNEY, one of our most estimable and attentive physicians. By this circumstance, the account of the cases and their issues, as kept by Dr. Kenney, was lost, and all the cases attended by him, have of necessity been classed as uncertain.

WILLIAM WHITE, President.

CASPAR WISTAR, Secretary.

SOUTHERN DISPENSARY.

Nine hundred and sixty-five Patients have been attended by the Physicians of the Dispensary during the year, from the 27th December, 1831, to December 24, 1832.

Remaining from last year,	74
Admitted since that time,	891
	—965
Of these number Recovered is	892
Relieved,	44
Died,	9
Irregular or uncertain,	4
Removed,	4
Remaining under care,	12
	—965

The Receipts and expenditures have been as follows: The Treasurer has received from the 27th December, 1831, to December 24, 1832—

In Donations,	\$5 00
Annual contributions,	105 00
Coleman Fisher, our proportion of the rent of property left by James Wills to the three Dispensaries,	360 00
James Cresson, legacy of Richard Humphrey, \$100, less collateral inheritance tax, \$2 50,	97 50
Charles Chauncey, Esq. legacy of Sarah Zane,	51 00
Interest on bond and mortgage,	80 00
Balance in the Treasurer's hands, 27th December, 1832,	8 72

\$707 22

EXPENDITURES.

Apothecary's salary,	150 00
House expenses, repairs of property, and medicine,	351 28
Collecting subscriptions,	6 75

Balance in the Treasurer's hands, 24th December, 1832,	199 19
	\$707 22

CHARLES PENROSE, President,
PETER WILLIAMSON, Secretary.

From Poulson's American Daily Advertiser.

STATEMENT

Of Members of the House of Representatives of the United States, from the city and county of Philadelphia, from the ratification of the Constitution:—

	From	to	
Thos. Fitzsimmons,*	city, 4th March, 1789	1795	
George Clymer,*	city, do.	1791	
F. A. Muhlenberg,*	co'y, do.	1791	1797
John Swanwick,*	city, do.	1795	Dec. 1798
Blair M'Clenachan,*	co'y, do.	1797	Mar. 1799
Robert Waln,	city, Dec. 1798	do.	1801
Michael Leib,*	co'y, March 1799	Dec.	1806
William Jones,*	city, do.	1801	Mar. 1803
Joseph Clay,*	city, do.	1803	Dec. 1808
John Porter,	co'y, Dec. 1806	Mar.	1811
Benjamin Say,*	city, do.	1808	Dec. 1809
Adam Seybert,*	city, do.	1809	Mar. 1815
Charles J. Ingersoll,	city, Mar. 1813	do.	1815
John Conrad,	co'y, do.	do.	do.
James Milnor,	city, do.	1811	do. 1813
Joseph Hopkinson,	city, do.	1815	do. 1819
William Milnor,	co'y, do.	1815	do. 1817
John Sergeant,	city, do.	1815	do. 1823
Adam Seybert,*	city, do.	1817	do. 1819
Thomas Forrest,*	co'y, do.	1819	do. 1821
Joseph Hemphill,	city, do.	1819	Dec. 1826
William Milnor,	co'y, do.	1821	Mar. 1823
Samuel Breck,	co'y, do.	1823	do. 1825
Danl. H. Miller,*	co'y, do.	1823	do. 1831
Thomas Kittera,	city, Dec.	1826	do. 1827
John Wurts,	co'y, Mar.	1825	do. 1827
John Sergeant,	city, do.	1827	do. 1829
Joel B. Sutherland,	co'y, do.	1827	do. 1835
Joseph Hemphill,	city, do.	1828	do. 1831
Henry Horn,	city, do.	1831	do. 1833
John G. Watmough,	co'y, do.	1831	do. 1835
Horace Binney,	city, do.	1833	do. 1835
James Harper,	city, do.	1833	do. 1835

In Vol. III. p. 242, we have furnished a table of the members of Congress from the whole state from 1789 to 1827.

The following statement exhibits the number of bushels of grain, (salt, coastwise,) and coal, discharged at the Port of Philadelphia, for the year 1832:—

631,098½	Corn
232,831½	Wheat
39,608	Rye
55,508½	Barley
95,329	Oats
5,201½	Flaxseed
1,414½	Beans and Peas
575	Clover seed
114,398	Salt
152,754	Coal.

GEORGE M. HECKMAN,
Measurer.

Jan 1, 1833.

STATEMENT

Of the quantity of Rain which has fallen in each year, from 1810 to 1832, inclusive. The first fourteen years by the gauge of P. Legaux, at Spring Mill, and

* Deceased Members.

the following nine years by that kept at the Pennsylvania Hospital:

	<i>Inches.</i>	<i>Inches</i>	
1810,	32,656	1822,	29,264
1811,	34,968	1823,	41,815
1812,	39,300	1824,	38,740
1813,	35,625	1825,	29,570
1814,	43,135	1826,	35,140
1815,	34,666	1827,	38,500
1816,	27,947	1828,	37,970
1817,	36,005	1829,	41,850
1818,	30,177	1830,	45,070
1819,	23,354	1831,	43,940
1820,	39,609	1832,	39,870
1821,	32,182		

The whole quantity which fell in the above twenty-three years was 831,953,1000 inches, which gives 36,172,1000 inches as the annual average.

The rain in each month of year 1832, was as follows:

1st mo.	4,58	8th mo.	5,69
2d do.	2,66	9th do.	1,40
3d do.	1,90	10th do.	3,41
4th do.	2,98	11th do.	2,59
5th do.	5,40	12th do.	5,09
6th do.	1,55		
7th do.	2,62	Inches,	39,87

Penn. Hospital, 1st mo. 1st, 1833.

A PROPOSAL

For altering the Eastern Front of the City of Philadelphia, with a view to prevent the recurrence of Malignant Disorders, on a Plan conformable to the Original Design of William Penn, by PAUL BECK, JR. 1820.

TO THE CITIZENS OF PHILADELPHIA.

Friends and Fellow Citizens,—The frequent recurrence of Yellow or Malignant Fever in our city calls on us to adopt some plan to remedy the evil; while the well known fact, that the disease always commences in the neighbourhood of the wharves, teaches us to believe that a remedy can be obtained, only by making a thorough alteration of the east front of the city.

Having transacted business in Water-street nearly forty years, I have frequently reflected on what would be the best means to prevent the dissemination of a disease that has proved so destructive of the lives, happiness, and wealth of our citizens. I now offer, with due deference to public opinion, a plan that I think would correct the evil, and for the execution of which the present time is certainly most propitious, as real estate, labour, and materials are as low, or lower than they have been for many years, and money is easily obtained. In submitting this plan to your judgment I am aware that the undertaking is of great magnitude, but by no means so difficult as many may imagine, which the information I have collected and now lay before you will clearly show.

The advantages to be derived from it are almost incalculable. It would make our city as healthy as any in the world; it would give employment to a great number of mechanics and labourers; it would put into circulation a large sum of money, and principally among that portion of our citizens who are the most in need of succour; it would remove many dram-shops and other immoral nuisances; it would materially lessen the risk from fire; and in fine, it would make Philadelphia the handsomest of cities.

Having thus stated some of the advantages, it remains for me to show what would be the probable cost of the undertaking, say for the purchase of all private property between Vine and Spruce streets, including the east side of Front-street to the river Delaware; the assessment of which property, for the year 1820, is as follows:—viz.

	<i>Dolls.</i>	<i>Dolls.</i>
Up. Del. Ward,	Including all property on the east side of Front St. and through to the river Delaware.	192,765
Lower do. do.		224,970
H. Street, do.		415,700
Chesnut, do.		287,043
Walnut, do.		297,362
Dock, do.		275,800
		1,693,640
I shall not be far from the truth in saying (after seeing the above assessment) that the whole can be bought for		3,000,000
To which add an estimate of the expense necessary to complete the plan, made by Mr. Strickland, and in which he has made a liberal allowance,		651,000
		3,651,000

At 6 per cent. per annum, is 219,060

From this it appears that the whole cost would be about three millions six hundred and fifty-one thousand dollars, equal to two hundred and nineteen thousand and sixty dollars per annum. Here I beg leave to state, that about fifty gentlemen in Boston subscribed half a million of dollars for the erection of a large wharf and fifty warehouses on it, and for which they receive a handsome income: must it be said that the city of Philadelphia cannot accomplish a highly important improvement that will cost but about seven times the amount of what was done by a few individuals in a sister city?

The way in which the principal or interest of the debt, if incurred, is to be paid, will be from the sale or rent of the stores to the highest bidder in fee for the store and ground occupied by it; from the wharfage on vessels and on all packages imported and exported, and from an assessment on the property on the west side of Front street and streets adjacent, for as much as it may be increased in value by the proposed alteration, and which would amount to at least one hundred and fifty thousand dollars; as Front street would certainly become the most valuable situation for business and the most desirable for residence in the city.

There are, according to the plan, 132 stores, 20 by 100 feet, which will be worth about \$1,333,333 33.

	at 6 per cent. per annum, is \$80,000
Wharfage on imports, foreign, say on 534,000 packages at an average of eight cents per package,	42,720
Wharfage on foreign exports will certainly exceed the above, but put at the same,	42,720
Wharfage on Domestic imports and exports, say	30,000
Wharfage on vessels estimated at about one half the present rate,	25,560
	\$221,000

From this statement it appears that the revenue would be equal to the expense, allowing for the loan required six per cent interest; but it is highly probable that money could now be obtained (on the security that the city could give) at five per cent. per annum; in which case there would be an annual surplus of thirty-eight thousand four hundred and fifty dollars, to be appropriated as a sinking fund; to which might be added the sum assessed on property on the west side of Front street and adjacent thereto.

The estimate of packages is made from the Custom House returns for the years 1807 and 1819, which give the above as an average number for one year, without including steel, bar-iron, hides, dye-woods, plaster of paris, hemp, twine, salt, coals, lead, limes, oranges, cocoanuts, and various other articles that come loose, and which would pay a considerable sum.

Heretofore I have said nothing about the property of New Market Ward, running from Spruce to South

street; and although not included in the preceding estimate, it would be necessary for the city to purchase it, as otherwise it would be difficult to collect the proposed wharfage on packages, while such good and convenient wharves could be had free of that charge; but as this ward would require but a trifling alteration, it would unquestionably pay the interest of the purchase money.

Should each particular trade take stores adjoining each other as in other large cities, it will be a great convenience to the merchants; there would be no danger of business going beyond the limits of the city, whatever inducements might be held out, as the difference of portage would more than pay the wharfage; besides, no vessel from a foreign port can discharge above Vine or below South streets, without special permission of the collector.

Having now given my calculations founded on the best information I have been able to obtain, you will on examination be able to determine whether they are founded on good grounds; if they are, the difficulty apprehended by many will be done away. No doubt the plan now suggested may be much improved; it is certainly very desirable that a regular plan for the gradual improvement of the wharves should be early adopted, and when a wharf requires repairing, it should be done in conformity with that plan; the repairs should be done with stone from low water mark, which would contribute to health as well as durability.

I must notice that the city would lose the taxes for one year while the improvement is going on, say on two squares annually, at an average of about three thousand five hundred dollars per square.

Should the trade of our city increase, which we have every reason to expect, the revenue to the city would increase in the same proportion.

The mode of carrying the plan into execution, should it be deemed worthy of consideration, can be digested by such body as may be appointed to consider the same: All of which is respectfully submitted by the public's humble servant,

PAUL BECK, JR.

STATEMENT.

The following is an estimate of the cost of one block of stores, size 40 by 100 feet, 2½ stories high.

Logs for foundations, \$200

Laying 200,000 bricks, includ. lime & sand, 800

Slate, 40 squares, 820

Carpenter's work, 1500

Plank for floors, 400

Blacksmith's work including fire proofs, 2000

Ironmongery and nails, 400

Painting and glazing, 500

Rough casting the fronts on the river and

on New Water street, 230

Stone-cutter's work at heads and sills, 500

Digging out foundations, 300

Total cost of a block 40 by 100 feet, 7450

One half of a store 20 by 100 feet, 3750

Number of stores, 132

Net cost of 132 stores, 495,000

The following is an estimate of the

total cost of pulling down old

buildings and cleaning 50 millions

of bricks, allowing ten millions to

be broken and unfit for use, 65,000

Removing and hauling rubbish, fill-

ing up old cellars, &c. 8,000

Building stone wall along the bank

on east line of Front street from

Dock to Vine street, 18,000

Iron railing along the east line of

Front street, 15,000

Brick and stone paving and regula-

ting wharves and street, 50,000

156,000

Total cost, \$651,000

(Signed) WILLIAM STRICKLAND, Architect.

THE REGISTER.

PHILADELPHIA, JANUARY 5, 1833.

The article on Education with which our present number commences, affords a complete view of the different legislative and constitutional provisions, from the earliest period of the commonwealth to the year 1811, and will be continued in our next number to the present time. It must be very useful to those who are to legislate upon the subject, at this or any future session. Much credit is due to the author for the industry and zeal he manifests in the pursuit of this favourite object.

In our last volume, page 367, was inserted a report of the Board of Medical Advisers, recommending the adoption of Paul Beck's plan for improving the eastern front of the city, with a view to guard against the introduction of malignant disease. As several years have elapsed since this subject was agitated; and deeming it too important to be forgotten, we have inserted the plan proposed by him in 1820, and then engaged in by many of our citizens, with considerable zeal. Some of the material facts and information at that time collected and published, will hereafter be presented.

The Financial report of the Treasurer of the state, prepared conformably to an act of last session, will be found in this number. This is, we believe, the first document of the kind ever presented in this state; and exhibits the resources and revenues, in an advantageous point of light. Much reliance is placed upon the internal improvements as a source of revenue, when completed. To hasten this important object, is truly desirable; and if funds, only, are necessary to effect it, we would say, let the whole amount required for this object, be provided at the present session, so that the whole line of canal and rail-road, may be ready for operation during the present year. The credit of the state is amply sufficient to raise any amount required; and we do not see, if loans are to be resorted to for the purpose, what difference it can make, whether they be all effected this year, or only a portion this, and the residue in another year. The sooner the communication is completed between the east and the west, the sooner will the revenue be derived, and augmented from it; and the sooner the reimbursement of the heavy debt created, be accomplished.

On Monday, Mr. Sergeant delivered the Eulogium on Charles Carroll, at the Musical Fund Hall. A procession was formed at the City Hall, composed of the Councils, officers of Police, and members of public institutions, as well as a large concourse of other citizens. The oration is to be published.

For the season, the weather has been remarkably mild and agreeable during the week. Our rivers and ponds are free from ice—and the navigation continues uninterrupted.

HAZARD'S REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

VOL. XI.—NO. 2. PHILADELPHIA JANUARY 12 1833. [NO. 263.]

For the Register of Pennsylvania.

CHRONOLOGICAL VIEW OF THE ENACTMENTS ON THE SUBJECT OF EDUCATION.

Concluded from page 6.

A tabular chronological view of the constitutional and legislative enactments on the subject of education, since the first settlement of Pennsylvania,—with a statement of the monies and lands appropriated to institutions, for its advancement.

No. of the acts.	Time of passing.	Object and character of the enactment.	Amount of monies appropriated.	Acres of land appropriated.	Nos. of trustees.	Remarks and references.
96	April 2, 1811.	Williamsport Academy in the county of Lycoming incorporated and endowed, (5 poor children to be taught.)	2000			L. B. 12, p. 432.
97	April 2, 1811.	Erie Academy, in Erie county, incorporated and endowed with tract of land and 15 town lots.		500		L. B. 12, p. 435.
98	April 2, 1811.	Waterford Academy, Erie county, established and endowed.		500		L. B. 12, p. 448.
99	January 28, 1812.	Supplement to act establishing Meadville Academy, (revoking the powers of former trustees.)				L. B. 12, p. 539.
100	February 7, 1812.	Loller Academy established at Hatborough, Montgomery county.				Bioren 5, p. 291.
101	February 7, 1812.	Supplement to the act establishing Mercer Academy.	2000			See above, No. 93.
102	March 20, 1812.	Act granting aid to Bedford Academy, (6 poor children taught <i>gratis</i> .)				Bioren 5, p. 334. See No. 87.
103	March 30, 1812.	Act authorizing a sale of land for the benefit of Loller Academy and the building of a school house.				Bioren 5, p. 361. See No. 100.
104	March 31, 1812.	Supplement to the act establishing Gettysburg Academy.				Bioren 5, p. 390. See No. 86.
105	March 31, 1812.	Act to repeal and supply that of April 4, 1809, so far as it applied to the city and parts of the county of Philadelphia. Public Schools, authorized, under the direction of Councils.				Bioren 5, p. 378, (County Commissioners authorized to superintend the education of the poor.)
106	December 26, 1812.	Supplement to the act incorporating Loller Academy.				Altering time for electing trustees. L. B. 13, p. 259.
107	June 28, 1812.	Act incorporating and endowing Venango Academy, in the town of Franklin. (4 poor children to be taught.)	2000		6	Trustees elected in the same manner as the members of the Legislature. L. B. 13, p. 309.
108	February 25, 1813.	Act to incorporate the Hughesian Free School in Buckingham township, Bucks county.				12 L. B. 13, p. 364.

No. of the acts.	Time of passing.	Object and character of the enactment.	Amount of money appropriated.	Acres of land appropriated.	Nos. of trustees.	Remarks and references.
109	February 25, 1813.	Act establishing the Beaver Academy at Beaver.			11	Bioren 6, p. 29. L. B. 13, p. 380.
110	March 4, 1813.	Act to establish two public schools in Wayne county, viz: the Delaware Academy and the Beach woods Academy.	\$2000		5 5	Bioren, 6, 31. L. B. 6, p. 398.
111	March 12, 1813.	Act granting a sum of money to Bustleton Academy, Philadelphia county.	500			L. B. 13, p. 415.
112	March 12, 1813.	Act granting aid to Butler Academy.		Tract.		L. B. 13, p. 433.
113	March 22, 1813.	Act incorporating Franklin school, Franklin township, Green county.			9	L. B. 13, p. 488.
114	March 22, 1813.	Act establishing Athens Academy, Bradford county. (5 poor children to be taught.)	2000		9	L. B. 13, p. 495.
115	March 22, 1813.	Act granting land in Conemaugh, Indiana county, for the use of a school.		10		L. B. 13, p. 502.
116	March 29, 1813.	Act incorporating Orwigsburg Academy, Schuylkill county. (4 poor children to be taught.)	2000			Bioren 6, p. 65. L. B. 14, p. 17.
117	March 29, 1813.	Further supplement to the act for relieving Dickinson College.				L. B. 14, p. 72.
118	March 18, 1813.	Act establishing and endowing Allentown Academy, Lehigh county. (4 poor children to be taught.)	2000		6	Trustees elected in rotation. Bioren, 6, p. 104. L. B. 14, p. 287.
119	March 28, 1814.	Further supplement to an act for the relief of Dickinson College, extending the time for paying interest.				L. B. 14, p. 479.
120	March 28, 1814.	Act for the aid of Harrisburg Academy.		Lot.		L. B. 14, p. 470.
121	March 28, 1814.	Act to repeal part of that which established Venango Academy.				See No. 107. L. B. 13, p. 532.
122	March 28, 1814.	Act establishing Indiana Academy in the town and county of that name. (3 poor children to be taught <i>gratis</i> .)	2000			L. B. 14, p. 517.
123	March 28, 1814.	Act vesting the title to a certain piece of land in Toboyne, Cumberland county, in trustees for the use of schools.		10		L. B. 14, p. 543.
124	March 28, 1814.	Act to establish Stroudsburg Academy, Northampton county.			9	No person excluded for religious persuasion. L. B. 14, p. 558.
125	March 11, 1814.	Act establishing Lewistown Academy, county of Mifflin. (5 poor children to be taught.)	2000		15	L. B. 15, p. 183.
126	February 8, 1816.	Act to establish Lebanon Academy, Lebanon county. (5 poor children to be taught <i>gratis</i> .)	2000		17	L. B. 15, p. 409.
127	March 19, 1816.	Supplement to act incorporating Waterford Academy.		8 lots.		L. B. 15, p. 587.
128	March 19, 1816.	Act establishing Huntingdon Academy at Huntingdon, and Susquehanna Academy at Montrose. (5 poor children to be taught at each academy.)	2000 2000		14 14	L. B. 15, p. 587.

No. of the acts.	Time of passing.	Object and character of the enactment.	Amount of money appropriated.	Acres of land appropriated.	Nos. of trustees.	Remarks and references.
129	February 10, 1817.	Act directing the surplus money raised by lottery for a school at Sumantown to be applied to the building of a house for the teacher.				L. B. 16, p. 80.
130	March 22, 1817.	Act incorporating a school at Meadville.			5	L. B. 16, p. 175.
131	March 22, 1817.	Supplement to the act establishing West Chester Academy.	1000			L. B. 16, p. 152.
132	March 24, 1817.	Supplement to the act establishing Gettysburg Academy.				L. B. 16, p. 181.
133	March 24, 1817.	Act establishing Allegheny College at Meadville, Crawford county.	2000		50	Trustees fill their own vacancies. Bioren 6, p. 472. L. B. 16, p. 351.
134	March 25, 1817.	Act to incorporate Erie Academy.		500 and certain town lots.	10	Trustees elected by citizens of the county. L. B. 16, p. 351.
135	March 25, 1817.	Act to incorporate Wellsborough Academy, Tioga county. (5 poor children to be taught.)	2000			L. B. 16, p. 355.
136	January 27, 1818.	Act authorizing the Philadelphia society for the establishment and support of charity schools to hold property to the amount of \$10,000 per annum.				L. B. 16, p. 400.
137	March 3, 1818.	Act in aid of Harrisburg Academy, (for the payment of debts.)	1000			L. B. 16, p. 545.
138	March 3, 1818.	Act to provide for the education of poor children at the public expense within the city and county of Philadelphia, forming said city and county into the first school district of the state of Pennsylvania.				Bioren 7, p. 53. L. B. 16, p. 534
139	March 23, 1818.	Act in aid of Reading Academy.		448		L. B. 17, p. 113.
140	March 23, 1818.	Act to establish Danville Academy, Columbia county.			12	Bioren 7, p. 107. L. B. 17, p. 72.
141	February 18, 1819.	Act incorporating the Western University of Pennsylvania, (persons of every religious denomination may be trustees, principals, or professors.)			26	L. B. 17, p. 262.
142	March 16, 1819.	Act for the relief of Franklin College at Lancaster.		455		L. B. 17, p. 339.
143	March 16, 1819.	Act appointing trustees for a certain school in Montgomery county, and allowing said trustees to appoint their successors.				L. B. 17, p. 343.
144	March 23, 1819.	Act for the relief of Dickinson College, (cancelling a mortgage held by the state for \$10,000.)	8400 See Reg. of Pa. vol. II. p. 308.			L. B. 17, p. 375.
145	March 27, 1819.	Act to incorporate the M'Connellsburg English school, Bedford county.		Lot.		L. B. 17, p. 399.
146	March 27, 1819.	Act incorporating Ebensburg Academy, Cambria county. (5 poor children to be taught gratis.)	2000		13	L. B. 17, p. 410.

No. of the acts.	Time of passing.	Object and character of the enactment.	Amount of money appropriated.	Acres of land appropriated.	Nos. of trustees.	Remarks and references.
147	March 27, 1819.	Supplement to the act erecting the first school district of the state of Pennsylvania.				Bioren 7, p. 206. L. B. 17, p. 206.
148	February 24, 1820.	Supplement to the act incorporating Waterford Academy.				Authorising trustees to sell land. L. B. 17, p. 585.
149	March 28, 1820.	Act to aid Erie Academy.	2000			L. B. 18, p. 82.
150	January 23, 1821.	Supplement to the act establishing the first school district. Providing for the management of its fiscal concerns.				Bioren's edition, vol. VII. p. 347. L. B. 18, p. 133.
151	February 15, 1821.	Aid for the relief of Jefferson, Washington, and Allegheny Colleges, giving each an annual sum of \$1000 for five years.	15000			Bioren's edition, vol. VII. p. 361. L. B. 18, p. 156.
152	February 20, 1821.	Act for the relief of Dickinson College, granting \$2,000 per annum for five years, and buying back the lands formerly granted, for \$6,000.	10000			Bioren 7th, p. 365. L. B. 19, p. 158.
153	March 7, 1821.	Act for the relief of the public school of Germantown.	2000			See Nos. 11 & 15. L. B. 18, p. 192.
154	March 20, 1821.	Supplement to the act establishing the first school district. Passyunk, erected into the 8th school section.				Bioren 7, 397. L. B. 18, p. 213.
155	March 27, 1821.	Act for the more convenient education of the poor gratis, within the counties of Cumberland, Dauphin and Lancaster.				Bioren 7, 417. L. B. 18, p. 250.
156	March 29, 1821.	Supplement to the act incorporating Erie Academy.		Lot.		L. B. 18, p. 259.
157	March 31, 1821.	Act providing for the more convenient education of the poor <i>gratis</i> in the county of Allegheny, with the right to establish schools for the exclusive accommodation of the <i>poor</i> .				L. B. 18, p. 295.
158	April 2, 1821.	Supplement to the act establishing Chester Academy, taking the election of trustees out of the hands of the voters of the county, and allowing the trustees to fill their own vacancies.				L. B. 18, p. 306.
159	April 2, 1821.	Act to establish Kittaning Academy, Armstrong county.	2000			Trustees to be elected in <i>rotation</i> . L. B. 18, p. 425.
	April 2, 1822.	Act erecting the city and incorporated boroughs of the counties of Lancaster into the second school district.				Bioren's edition vol. VII. p. 538. L. B. 18, p. 525.
160	April 2, 1822.	Act to incorporate the Warren Academy, Warren county.		500	3	Bioren 7, 568. L. B. 18, p. 587.
161	April 2, 1822.	Act to vest certain real estate in the Union School, Tredeffrin township, Chester county.		2 lots.		L. B. 18, p. 553.
162	February 13, 1823.	Supplement to the act incorporating Franklin Academy, Venango county and granting land.		2 lots.		P. L. 1822—3, p. 34
163	February 13, 1823.	Act to incorporate Strasburg Academy, Lancaster county.			7	P. L. p. 37.

No. of the acts.	Time of passing.	Object and character of the enactment.	Amount of money appropriated.	Acres of land appropriated.	Nos. of trustees.	Remarks and references.
164	March 29, 1823.	Supplement to the act establishing Ebensburg Academy.				P. L. 1822—3, p. 149.
165	March 29, 1823.	Supplement to the act establishing Lebanon Academy.				P. L. p. 163.
166	April 1, 1833.	Supplement to the act erecting the second school district.				P. L. p. 370.
167	December 24, 1823.	Supplement to the act establishing Orwigsburg Academy. (Poor children to be taught.)			14	P. L. of 1823—4, p. 2.
168	March 29, 1824.	Supplement to the act establishing Huntingdon Academy.				P. L. p. 131.
169	March 29, 1824.	Act to provide more effectually for the education of the poor <i>gratis</i> , and for laying the foundation of a general system of education throughout the state.				P. L. p. 137.
170	February 15, 1825.	Act for the relief of the Pennsylvania Institution for the Deaf and Dumb.				See Pamp. Laws, 1824—5, p. 31.
171	February 13, 1826.	Act to relieve Dickinson college, providing that persons of all religious denominations may be elected officers in said college, and that no student shall be denied its advantages on account of religious sentiments, granting \$3000 annually for seven years. Requiring an annual statement from the trustees, of the manner in which the money has been expended.	21,000			Pamp. laws of 1825, p. 27.
172	February 20, 1826.	Act repealing the school law of 1824, and reviving that of April 4, 1809, with other laws of a like tenor, which had been repealed by the act of 1824.				P. L. p. 52.
173	March 9, 1826.	Act in relief of the Western University, granting \$2400 annually for five years, in consideration of a relinquishment of land by said University; and appointing new trustees.	12,000		32	Pamph. laws of 1825—6, p. 74.
174	March 9, 1826.	Act establishing Lafayette college at Easton. No disabilities to operate against officers or students on account of religion. A professor of German, and one of military science and engineering to be annexed. Governor to appoint inspecting visitors—Legislature reserves the right to revoke, alter, or annul the charter.			35	P. L. 76.
175	March 11, 1826.	Act for the relief of Washington college—granting \$1000 annually, for four years.	4000			Pamp. L. 1825—6, p. 109.
176	March 11, 1826.	Act for the relief of Jefferson college—granting \$1000 annually, for four years.	4000			Pamp. L., p. 109.
177	April 7, 1826.	Act establishing a medical department of Jefferson college in Philadelphia—allowing ten additional trustees—fixing fees at \$15 per course. Right of repeal, &c. reserved to the legislature.				Pamp. L., p. 232.

No. of the acts.	Time of passing.	Object and character of the enactment.	Amount of money appropriated.	Acres of land appropriated.	Nos. of trustees.	Remarks and reference.
178	April 10, 1826.	Act relative to Passyunk school extending the provisions of the bill to the third section of the first school district: providing for the building of a school house, and the appointment of directors.				Pamph. L. 1825—6, p. 295.
179	April 10, 1826.	Act in relation to academy in Lewistown, in Mifflin county. Voters may have from 1 to 5 votes each, according to their contributions from 5 to 75 dollars each. Name of the academy may be changed to that of any person who shall bequeath or give funds enough to yield \$100 annually. Also assigning number of trustees of Somerset academy with like power of the voters.			15	7 P. L. p. 396.
180	February 12, 1827.	An act relative to the first school district: Increases the number of directors to 36; erects the township of Moyamensing into the 9th section: six directors to be appointed by the board of commissioners of Moyamensing.				P. L. of 1826—7, p. 368.
181	February 12, 1827.	An act establishing and endowing an Academy in the town of Clearfield.	2000		9	P. L. p. 54.
182	February 23, 1827.	An act exempting the property of the Deaf and Dumb Institution from taxation.				P. L. p. 44.
183	March 3, 1827.	Act establishing Milford Academy, Pike county; requiring two of the six trustees to be elected annually by the voters of county. Appropriating \$2000 to erect building, (requiring 5 poor children to be taught gratis.)	2000		6	P. L. p. 61.
184	March 7, 1827.	Act establishing a college at Uniontown, Fayette county, called Madison college, vesting the property of Uniontown academy in the college—empowering trustees to connect an agricultural department with the college, but not to compel manual labor contrary to the wishes of parents or guardians.—Legislature reserves the right to alter the charter.			38	P. L. p. 216. See No. 73.
185	April 11, 1827.	Act authorizing the commissioners of Dauphin county to establish a Lancasterian school at Harrisburg.				P. L. p. 79.
186	April 13, 1827.	Act relative to Allentown academy, allowing trustees to pay certain debts from their permanent funds.			7	P. L. p. 247.
187	April 14, 1827.	Act granting aid to Allegheny college, Crawford county, \$1000 annually for four years.	4000			P. L. p. 321.
188	April 14, 1827.	Act establishing "Mifflinsburg Academy," Union county. Trustees chosen by the county voters, one-third annually; to exhibit their accounts to the county auditors.	2000		9	P. L. p. 322.
199	April 14, 1827.	Act relative to land belonging to a public school in Douglass, Berks co.				P. L. p. 334.

No. of the acts.	Time of passing.	Object and character of the enactment.	Amount of money appropriated.	Acres of land appropriated.	Numbers of trustees.	Remarks and references.
190	April 14, 1827.	Act to incorporate the Union academy at Doylestown, Bucks county.—Trustees to be elected by the persons who have sent their children to the school at least three months of the preceding year, at their own expense.				7 P. L. p. 337.
191	April 14, 1827.	Act incorporating and endowing the Lancaster county Academy.	3000		14	P. L. p. 557.
192	April 14, 1827.	Act relating to directors of the Moyamensing section of the 1st school district.				P. L. p. 368.
193	April 17, 1827.	Act incorporating Lutheran Theological Seminary; granting land to Presbyterian Theological Seminary, and to a church in Lehigh county.				P. L. p. 496.
194	March 27, 1827.	Resolution relative to infant schools in the first district—calling on the controllers to investigate the subject.				P. L. p. 508.
195	January 21, 1828.	Act incorporating the Theological Seminary of the Associate Reformed Synod of the west.				P. L. of 1827—28, p. 29.
196	February 19, 1828.	Act to provide for educating poor children on the Lancasterian system, in the city of Pittsburg. Allows the introduction of pay scholars into the county school. Provisions of other acts for educating the poor annulled, in regard to Pittsburg.				P. L. p. 105.
197	February 27, 1828.	Act granting aid to Madison college, in Uniontown, Fayette county.	5000			P. L. p. 121.
198	February 27, 1828.	Act granting a sum of money to Beachwoods Academy, Wayne co.	1000			P. L. p. 122.
199	April 14, 1828.	Act authorizing the controllers of public schools of the 1st school district, to sell certain land and to establish schools for children under 5 years of age.				P. L. p. 458.
200	January 19, 1829.	Act establishing Academy at Smethport, M'Kean county. Trustees to be elected by the contributors. Accounts, &c, of trustees to be settled as those of county commissioners are settled. (<i>Five poor children to be taught gratis.</i>)	2000		7	P. L. of 1828—29, p. 17.
201	January, 23, 1829.	Act to continue the annual state donation to the Penn: Institution, for Deaf and Dumb, for four years.				P. L. p. 23.
202	March 19, 1829.	Act relating to Clearfield Academy, requiring trustees to invest \$1000 of their funds in stock of Pa. or of U. S. Trustees entitled to no compensation.				P. L. p. 66.
203	April 23, 1829.	Act authorizing the election of three schoolmen in the township of Letter Kenny, Franklin county, to superintend the education of children at the public expense, as the same is by law provided for: to determine to what school they shall be sent, and to audit the bills for their instruction.				P. L. p. 22.

No. of the acts.	Time of passing.	Object and character of the enactment.	Amount of monies appropriated.	Acres of land appropriated.	Nos. of trustees.	Remarks and references.
205	January 8, 1830.	Act establishing "Le Raysville Academy." Trustees elected by the subscribers to the stock or funds.				P. L. of 1829—30, p. 18.
206	February 16, 1830.	Act incorporating "Dundaff Academy." <i>Rotation in office</i> of trustees established, to be elected by the voters of the county. Accounts to be settled by county auditor.			6	P. L. of 1829—30, p. 44.
207	April 6, 1830.	Act relative to the 1st school district, increasing the number of school directors. Northern Liberties and Kensington commissioners to choose each 12 directors, instead of 6 as before provided.				P. L. p. 251.
208	March 23, 1831.	Act to exempt property of Erie Academy from taxation.				P. L. of 1830—31, p. 204.
209	March 30, 1831.	Act amending the act to establish Loller Academy, in Montgomery county.				P. L. p. 240.
210	April 1, 1831.	Act authorizing the trustees of Allentown Academy to expend 500 dollars of the permanent fund in completing building, and purchasing apparatus. Also authorizing certain sections in the first school district, to appoint each one controller, and the controllers of said district to extend their jurisdiction over such sections.				P. L. p. 338.
111	April 2, 1831.	Act <i>providing</i> for the establishment of a general system of education. Creating a school fund and appointing three commissioners to manage it—assigning to said fund all monies due for unpatented lands—secured to the state by mortgage or lien for purchase money, and all monies for applications, warrants, and patents for land, fees in the land office, and proceeds of a tax of one mill per dollar, laid March 25, 1831. State treasurer to make an annual report of the amount received for the fund. Interest to be added to the principal until the interest shall amount to \$100,000 annually, after which the interest shall be annually distributed for support of schools, as shall be provided by law.				P. L. p. 385.
212	April 14, 1831.	Act for the relief of Washington college—appropriating \$500 annually for five years, on condition that the college cause 20 students annually, to be prepared for teachers.	2500			P. L. p. 453.
213	December 23, 1831.	Act providing for the appointment of trustees of the public school-house in the town of Landisburg, Perry county, giving them power to examine teachers for said school, visit the same once a month, and dismiss the teachers for misconduct, want of capacity, or negligence.				P. L. of 1831—32, p. 2.
214	February 15, 1832.	Act to aid Warren Academy, granting \$2000, requiring a bond for faithful application of it—5 poor children to be taught <i>gratis</i> , for 2 years each.	2000			P. L. p. 78.

No. of the acts.	Time of passing.	Object and character of the enactment.	Amount of money appropriated.	Acres of land appropriated.	Nos of trustees.	Remarks and references.
114	February 15, 1832.	Act touching the first school district—5 controllers to form a quorum. Northern Liberties and Kensington each to form a section of said district, and to choose a controller. Five directors to be appointed by court for the 8th section.				P. L. p. 80.
215	February 20, 1832.	Act granting aid, (\$2000 per annum) for four years to Jefferson college. Six students in indigent circumstances, to be educated gratis, in consideration of this grant, for four years; and after that, 24 students to be prepared for school teachers.	8000			P. L. p. 81.
216	April 7, 1832.	Act establishing the Pennsylvania college of Gettysburg. No disabilities on account of religious opinions; a German professorship is to be formed, and the incumbent among other duties, is to prepare young men to become teachers in German schools. The same act exempts the property of Clearfield and of Curwenville Academies from taxation.				25 patrons. P. L. p. 315.
217	April 7, 1832.	Act dispensing with military tactics, and with civil and military engineering as branches of study in Lafayette college, at Easton.				P. L. p. 376.
218	May 5, 1832.	Act granting aid to Reading Academy. Trustees to cause four students, in indigent circumstances, to be educated for five years in a manner to become teachers of common English schools.	3000			P. L. p. 509.
219	May 5, 1832.	Act exempting Jefferson Medical College in Philadelphia from taxation for 10 years.				P. L. p. 510.
220	May 5, 1832.	Act incorporating the Milton Lancasterian Association—to educate poor children within two miles of the school-house; price not to exceed \$1 per quarter.				P. L. p. 515.
221	May 5, 1832.	Act exempting the real estate of the University of Pennsylvania from taxation for 15 years.				P. L. p. 517.

DIVIDENDS FOR THE LAST SIX MONTHS.

Trenton Bank,	\$1 50 per share.	Life Insurance Company,	3 per cent.
Cumberland Bank, Bridgeton, N. J.	3 per cent.	Marine do	5 do
United States Bank,	3½ do	Permanent Bridge, 40 cents per share.	
Bank of North America,	2½ do	American Insurance,	3 do
Mine Hill and Schuylkill Navigation and		Union	3 do
Rail-road Company,	7 per cent.	Atlantic Insurance Company,	3 do
		Northumberland Company,	2 do
		Allegheny Bridge Co. Pittsburg,	4 do

From the Philadelphia Gazette.

PROCEEDINGS OF COUNCILS.

Thursday, December, 28, 1832.

SELECT COUNCIL.—The annexed communication from the Executors of the late Stephen Girard was received.

To the Select and Common Councils of Philadelphia.

The undersigned, executors of the late Stephen Girard, being desirous to transfer that part of the personal estate bequeathed by the said testator to the city of Philadelphia, which is at present at their disposal, respectfully ask the Select and Common Councils to designate the officer or officers, authorised to receive the said property in the name of the Mayor, Aldermen, and citizens of Philadelphia.

TIMOTHY PAXSON,
THOS. P. COPE,
JOSEPH ROBERTS,
W. J. DUANE,
JOHN A. BARCLAY.

December (12th month) 26th, 1832.

Mr. Groves, as chairman of the committee, reported an ordinance to continue the Philadelphia and Columbia Rail-Road along Broad street from Vine to Cedar streets.

Mr. Groves, as chairman of the same committee made the annexed report and resolution, which were adopted by the Select Council, but were not acted on by the Common Council.

The committee appointed on the continuation of the Philadelphia and Columbia Rail-Road along Broad street from Vine to Cedar streets, report:—

That agreeable to a resolution of Councils passed on the 22d of November last, an advertisement was published in most of the newspapers of this city, inviting proposals for granite sills and iron rails for the said road, in consequence of which the committee received a number of offers for the materials and also for dressing and setting the stone, but as Councils have not yet determined on the form of the sills nor size of the rails, the committee have not thought it proper to make any contract for the work; they would therefore recommend that the sills be dressed with a groove for the flange of the car wheels to run in, and the iron rail let into the stone so as to be no impediment to the passage of other carriages which may travel on the street; and in order to bring this subject more properly before Councils they submit for their consideration the following resolution:

Resolved, That the granite sills of the rail-road to be constructed along Broad street be dressed with a groove of the proper size for the flange of car wheels, such as may be used on the Philadelphia and Columbia rail-road, to run in, and that the iron rails be two and a quarter inches wide and five-eighths of an inch thick, and let into the said sills so as to be level with the upper side thereof, and as near the centre of the sills as may be, and that the committee appointed on this subject be authorized to contract with some suitable person or persons for doing the work thereof upon such terms as they may deem most advantageous to the city.

Mr. Worrell presented a petition, praying that the stand for fish wagons at the corner of Third and Market streets may be removed, which was referred to the Committee on Markets.

Mr. McCredy offered the annexed resolution, which was agreed to, and Messrs. McCredy, Massey, Neff, Maitland, Elliott, and Gowen, were appointed the committee.

Resolved, by the Select and Common Councils, That a joint committee of three members of each Council be appointed to inquire and report in what manner Walnut street wharf on the Delaware may be improved so as to be more productive to the city.

Mr. Massey offered the annexed resolution, which was adopted, and Messrs. Massey, J. P. Wetherill,

Lewis, Chandler, Byerly, and Haines, were appointed the committee.

Resolved, by the Select and Common Councils, That a committee consisting of three members of each council be appointed to inquire whether it is expedient to make any alteration in the salaries of the Mayor and Recorder of the city of Philadelphia, and the city clerk, and to report by bill or otherwise.

The president of the Select Council appointed the following gentlemen in the place of Mr. Fox resigned:

Watering committee,	-	-	Mr. Groves,
Market committee,	-	-	Mr. Eyre,
Logan and Penn Square committee,	-	-	Mr. Toland,
Chestnut street wharf,	-	-	Mr. Lewis,
Communication of B. Chew,	-	-	Mr. Eyre.

The Select council adjourned, to meet again on Thursday evening next.

COMMON COUNCIL.—A communication was received from Mr. M. E. Israel, resigning his situation as a member of the Board of Health.

Mr. Lapsley as chairman of the committee on markets made the following report and ordinance:

The committee to whom was referred the petition for the removal of the market carts from Decatur street, report—

That from observation they are fully convinced of the great inconveniences the inhabitants in that street are subject to. They find by an ordinance of 29th December, 1832, Zane and Carpenter streets in the same vicinity were also appropriated for the same purpose, and that while Decatur street on both sides is literally filled with vehicles, those other stands are entirely free from them.

Your committee would therefore recommend a repeal of that ordinance so far as relates to Decatur street, and would respectfully offer the following as a substitute:

Be it ordained and enacted by the citizens of Philadelphia, in Select and Common Councils assembled, that Decatur street be assigned as a stand for market carts and wagons; the east side to be so appropriated from 1st May to 1st November, and the west side for the rest of the year.

This ordinance to go into effect from and after the 15th of January, 1833, and from that time so much of any ordinance as is hereby altered or modified, shall be and the same is hereby repealed. All which is submitted.

Mr. Morris, as chairman of the committee, made the annexed report:

The committee to whom was referred the letter of George Pepper, Esq. report—

That Mr. Pepper held a mortgage given by Edward J. Stiles, the former owner of the property, dated 1st March, 1826, for twenty-one thousand dollars, at an interest of six per cent. per annum,—that Messrs. Hollingshead and Platt purchased of E. J. Stiles, with whom Mr. Pepper agreed to reduce the interest to five per cent. per annum: after which Mr. Girard purchased the property in question, subject to the aforesaid mortgage—that the interest for one year became due on the 1st of September last, and remains unpaid—that the title to the said property is in dispute between the city and the heirs of Stephen Girard, and that by agreement between the claimants, the rents of said property have been paid to the agents of the corporation of the city of Philadelphia.

Your committee are therefore of opinion, that in case the heirs of Stephen Girard will enter into a specific agreement, that the rent so received may, so far as necessary, be paid in satisfaction of the said interest due to Mr. Pepper, without prejudice to the interests of the city, that the same should be authorised by Councils.

It is also proper for your committee to state that the foregoing information was received from sources which they believe entitled to full credit, but that the documentary evidence necessary to sustain certain parts of the foregoing statement was wanting, and therefore they recommend before the same is finally disposed of,

that it should be carefully examined, as in its absence your committee cannot guarantee the entire correctness of this report. All of which is respectfully submitted.

Mr. Chandler, as chairman of the committee, made the following report and resolution, which were adopted—

The committee appointed by resolutions of Councils to make proper arrangements for the delivery of a Eulogy on the life and character of the late CHARLES CARROLL of Carrollton, respectfully report—

That they have received information from the Hon. John Sergeant, that he will be prepared to deliver the Eulogy on Monday next. The committee have selected the Hall of the Musical Fund Society as a suitable place for the performance, and have designated the hour of noon on Monday next as the time—they therefore offer the following resolution:

Resolved, That the Select and Common Councils will meet at the City Hall on Monday the 31st instant, at 11 o'clock, A. M., to proceed thence to the Hall of the Musical Fund Society, to hear a Eulogy on the life and character of the late Charles Carroll of Carrollton, to be pronounced by the Hon. John Sergeant.

Thursday, January 3, 1833.

SELECT COUNCIL.—A communication from the Guardians of the Poor was received, announcing the resignation of Israel Cope; and also one from the commissioners for erecting public buildings was received, that Abraham L. Pennock, declines accepting the appointment conferred upon him.

The subjoined communication from the Directors of the Girard Trusts was received.

Office of the Directors of the Girard Trusts.

Philadelphia, December 18th, 1832.

To the Select and Common Councils.

Agreeably to a resolution of the Select and Common Councils, passed on the 13th instant, the board of Directors of the Girard Trusts, adopted the following resolution, viz.

Resolved, That an order be drawn upon the treasurer of the Girard Fund for the sum of five hundred dollars, in favour of Cornelius Stevenson, city treasurer, being for extra services rendered by him in keeping the accounts of the Girard estate, from the 16th of January to the 19th of November, inclusive.

From the minutes of the Board.

JOHN S. CASH, Secretary.

Britain Cooper applied as candidate for treasurer of the Girard Trust.

Mr. Lippincott presented the report of the treasurer of the Girard Fund, with his accounts, which were ordered to be printed.

To the president and members of the Common Council.

Treasurer's Office of the Girard Trust,
Philadelphia, Dec. 31st, 1832.

Gentlemen—I herewith respectfully lay before Councils a detailed account of the Girard Trust, agreeably to a resolution of Councils, passed on the 13th instant, and which is required annually by the will of the late Stephen Girard.

BRITAIN COOPER, Treasurer.

Mr. Lippincott, as chairman of the committee to light the city with gas, made a report and ordinance, and 500 copies were ordered to be printed.

Mr. Toland offered the following resolution, which was adopted:

Resolved, by the Select and Common Councils, That the executors of the late Stephen Girard be and they are hereby authorised and requested to pay over and deliver to the treasurer of the Girard Trusts, all the personal estate at their disposal, as suggested in their communication to Councils of 26th ult., and that the treasurer be authorised to give a receipt for the same in the name of the Mayor, Aldermen, and citizens of Philadelphia.

Mr. Lippincott called up for consideration the reso-

lution attached to the report of the committee relative to making a canal around the Permanent bridge, which after being amended was adopted by the Select Council, but was not acted on by the Common Council.

Mr. Groves, as chairman of the committee, made the following report and resolution, which were adopted:

The committee appointed to procure plans for the Girard college, report—

That agreeably to a resolution, passed on the 14th of June, 1832, they caused an advertisement to be published in most of the newspapers of this city, inviting the attention of architects and others to this subject, in consequence of which they have received and examined designs and plans from the following named gentlemen: Higham and Wetherill, New York; Town, Davis & Co. do.; William Strickland, Thomas U. Walters, W. Rodrigue, John Haviland, George Strickland, William B. Crisp, R. W. Israel, and Y. J. Stewart, of Philadelphia; Mr. Jenks, of Germantown; Edward Shaw, John Kutta, and Isaiah Rogers, of Boston; Lieutenant William M. Mather, of West Point, and two others.

In laying these plans before Councils, the committee, impressed by a sense of duty to those their fellow citizens, who have furnished so many truly magnificent designs, evincing so much genius, taste, and industry, tender to them their sincere thanks. The only difficulty that remains, where so much talent has been exerted, is to determine which plan has the greatest merit and to which the preference and the premiums shall be given. But as this is a duty remaining to Councils, the committee have ordered the plans to be placed in the Independence Hall, where the members of Councils are requested to examine them; and the committee in the further discharge of the duties imposed on them, offer the following:

Resolved, That a special meeting of Councils be held on the 2d Tuesday of February next, at 3 o'clock in the afternoon, for the purpose of awarding the different premiums to the authors of the plans of the Girard college, as expressed in their resolution of June 14th, 1832.

The Select Council adjourned to meet again on Saturday evening next.

COMMON COUNCIL.—George N. Harvey applied as candidate for treasurer of the Girard Trust.

Mr. Merrick presented a petition from the watch makers of the city, which was referred to a joint committee of two members of each Council, and Messrs. Merrick, Yarnall, Neff, and Toland were appointed the committee.

Mr. Lapsley presented a petition from Mr. Jacob Ser-rill for leasing Spruce street wharf on Schuylkill, which was referred to the Paving committee.

Mr. Chandler offered the annexed resolutions, which were adopted, and Messrs. Chandler, S. Wetherill, Gowen, Lewis, J. P. Wetherill, and Lippincott, were appointed the committee.

Resolved, That the thanks of the Select and Common Councils be presented to the Hon. John Sergeant for his eloquent Eulogy on the late Charles Carroll of Carrollton, and his exposition of the constitutional terms of our national Union, and that a copy thereof be requested for publication.

Resolved, That the thanks of the Select and Common Councils be presented to the Right Rev. Bishop White, for his services on the occasion of delivering the Eulogy of Charles Carroll of Carrollton, and that he be respectfully requested to furnish for publication a copy of the prayer used on that occasion.

Resolved, That a committee of three from each council be appointed to carry into effect the above resolutions, and that they be authorized to cause to be printed, in a pamphlet form, 1500 copies of the eulogy with the prayer.

Mr. Chandler offered the annexed resolution, which was agreed to:

Resolved, That the Mayor be and he is hereby authorized to draw his warrant on the city treasury in

favour of the trustees or any agent of St. John's Orphans' Asylum, St. Joseph's Orphans' Asylum, and the Orphans' Asylum under the care of the Sisters of Charity in Prune street, for the amount of money, and to each in the proportions voted to these institutions by a resolution of Councils on the evening of the 8th of November, 1832.

Mr. Morris, as chairman of the committee on the State House and Independence Square, made the following report and resolutions, which were adopted:

The committee on State House and Independence Square, to whom was referred the resolution passed by "The Society to Commemorate the Landing of William Penn," report—

That they have had the same under their consideration, and concur entirely with the views of the society, and with pleasure recommend Councils to accept this truly valuable portrait of the Founder of Pennsylvania, to whose wisdom and foresight this community stands indebted for many great and lasting benefits, and they do so with the hope that it will aid, not only in fulfilling one of the objects of that society, which is as expressed in their communication, "to commence a gallery of portraits of distinguished Pennsylvanians," but also assist in perpetuating the resemblances and memories of others whose names are enrolled as national benefactors. They therefore respectfully submit the following resolution:

Resolved, That the committee on the State House and Independence Square be authorized to accept in behalf of the corporation of the city of Philadelphia the offer made by "the Society to commemorate the landing of William Penn" of the portrait of William Penn, to deposit the same in Independence Hall, and to take all such precautions for its preservation as may meet the views of the society.

Saturday Evening, January 5.

SELECT COUNCIL.—Mr. Lippincott presented the following Report of the Directors of the Girard Trusts.

To the Select and Common Councils of the city of Philadelphia.

The Directors of the Girard Trusts in obedience to the provisions of the tenth section of the "Ordinance for the management of the Girard Trust," passed on the 15th September, A. D. 1832, respectfully Report—

That the Directors assembled at the City Hall, on the third Monday of November, 1832, agreeably to the directions of the 7th section of the said ordinance, and proceeded to organize the Board by electing Joshua Lippincott, President; and John S. Cash, Secretary; and forthwith proceeded to decide, by ballot the term of service of each member, which resulted as follows, viz: the service of Messrs Hood, Worrell and Dunlap, terminates in the month of January, 1833, of Messrs. Vaux, Page and Moss, in 1834, and of Messrs. Lippincott, Baker and Lehman in 1835.

The Board then proceeded to divide itself into the three committees prescribed by the Ordinance, when the chairman named—

The Committee of Finance—Messrs. Moss, Lehman and Lippincott.

Committee on Real Estate—Messrs. Baker, Worrell and Dunlap.

The Committee on the College—Messrs. Vaux, Page and Hood.

The Board proceeded to the execution of the duties intrusted to it, by continuing Charles Johnson, as Agent and Collector of the Real Estate, and have required from him security in the sum of *Ten Thousand Dollars* for the faithful performance of his duties and the daily payment over to the Treasurer of all monies collected by him. By designating the Girard Bank as the Bank of Deposit for the monies of this trust and instructing the treasurer to enter upon his duties by receiving possession of the monies, books and papers of the estate,

and for that purpose required the auditors of Girard Trust, forthwith to audit the accounts of the late Mayor and City Treasurer, which was accordingly done.

That on the 27th of November, 1832, by virtue of the authority conferred by the 25th section of the Ordinance, the Board took possession of the front room of the house No. 163 Chesnut street, and ordered the same to be fitted up for the accommodation of the Treasurer, and for the meetings of the Board and its committees.

The Committee on the College in pursuance of instructions from the Board has issued a public advertisement offering a premium of four hundred dollars, for the best system of Collegiate instruction and discipline in conformity with the intentions of the testator. The compensation of the agent and collector has been fixed at \$1500 per annum, and that of the Secretary as Secretary and Messenger at \$700 per annum.

The Committee on Real Estate in obedience to a provision in the 9th section of the Ordinance has directed the agent to furnish a list of each item of Real Estate of the late Stephen Girard, designated by numbers, and form a minute book or record, which will exhibit on one sheet all business presented to said committee, in relation to each item of the Real Estate, the action of the committee thereon, and the sanction, rejection or different order of the General Board upon the same.

The same committee under directions to that effect, has taken measures for the earliest possible removal of the tenant of the Peel Hall Estate, the contemplated site of the Girard College, and this ground will probably be surrendered on the first day of April next, the tenant paying at the rate of nine dollars per acre since his settlement with the Executors.

A claim has been preferred by the Trustees of the late Bank of Stephen Girard to remove the fixtures from the Banking house as personal property belonging to them; this right is denied by the Board, and the subject has been referred for adjustment to the Committee on Real Estate.

A demand of Joseph Roberts, Esq. Cashier of the late Bank, to occupy the house No. 69 south Third street, free of rent, so long as he shall remain Cashier of the Trustees of the late Bank of the United States, and of the Trustees of the late Bank of Stephen Girard, has been received, and is now under a similar reference.

Since the organization of this Board on the third Monday of November, 1832, the Treasurer has received in cash—

From the Treasurer of the city of Philadelphia,	\$21,650 50
And from the Agent and Collector of the Real Estate,	\$1,169 63

The particulars whereof will fully appear in his detailed report to your honourable bodies, made in compliance with the 15th section of the Ordinance.

In the same period this Board has issued orders for the payment of sundry bills amounting (with the sum of five hundred dollars ordered by Councils to be paid by this Board to C. Stevenson, Esq., City Treasurer, for his extra services in keeping the accounts of the Girard Estate,)

To the sum of	\$3,388 74
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a specification of all which appears in schedule A. hereto annexed.

The foregoing statement embraces a general summary of the proceedings of the Board since its organization, which took place 49 days since, in compliance with the 10th section, which requires a quarterly report from this Board to Councils, and in further obedience to the provisions of that section, the Board respectfully report that their Secretary is instructed by resolution to wait upon any committee which may be appointed from either council for that purpose with the books, records and documents of the Board for their inspection and scrutiny.

Although the brief duration of this Board prevents a compliance with the directions of the 26th section of the Ordinance at present, the Directors of the Girard Trusts, see no reason to doubt that the existing Ordinance, with such occasional amendments and restrictions as time and practice can alone develop, will prove amply sufficient under the constant "direction of the Select and Common Councils" for the faithful and efficient administration of the trusts of this magnificent bequest, without infringing in any degree upon the legislative and supreme authority of its constituents the corporative government of Philadelphia.

All of which is respectfully submitted.

By order of the Directors of the Girard Trusts,

JOSHUA LIPPINCOTT, President.

JOHN S. CASH, Secretary.

Philadelphia, Jan. 7th, 1833.

Amount of monies paid by the Treasurer of the Girard Trust, to the order of the Board of Directors.

To Wm. Boyd, Agent, in Schuylkill co.	2000 00
To Caleb Johnson, coal for the office No. 163 Chesnut street,	24 75
To Geo. Swipes, painting and glazing,	229 69
To Belrose & Curry, paper and paper hanging,	118 22
To Edward Bowlby & Sons, articles furnished office No. 163 Chesnut street,	11 44
To Thomas F. Conwell, ground rent, Jones' alley,	45 00
To Wm. Fry, for advertising houses to let, &c.	18 00
To John Scott, iron chests for title papers, &c.	80 00
To Robert Murphy, poor taxes, High street ward, 1832,	64 60
To Joseph Burden, chairs for the office No. 163 Chesnut street,	41 50
To J. J. McCahen, for Auditors to the Girard Trust,	49 00
To Cornelius Stevenson, acting Treasurer to the Girard Trust,	500 00
To Charles Fox, bricks for paving,	23 60
To John Willitts, bricklayer for jobbing,	35 25
To Thomas Dougherty, labour and carting to several houses,	125 37
To Isaac N. Mason, minute book for directors,	22 32
	\$3,388 74

Philadelphia, Dec. 31st, 1832.

The following communication from the City Treasurer was received and referred to the committee of ways and means with power to invest.

To the President and Members of the Select and Common Councils,

Gentlemen, I beg leave to inform you that I have received from the United States the sum of Four Thousand Dollars, being the amount of a certificate (redeemable on the 1st instant) of United States 3 per cent stock, which was bequeathed to the corporation of Philadelphia, by John Scott of Edinburgh, "with the proviso that the interest and dividends to become receivable upon the same, be laid out in premiums, to be distributed among ingenious men and women who make useful inventions." I have also received the sum of 1932 88-100 dollars, the amount of three certificates of stock, same as above belonging to the fund for supplying the necessitous poor of the city with fuel. I beg leave to state, also, that there is on this day at the credit of the interest account of the above legacy of John Scott, the sum of \$533 05, and would respectfully suggest to councils whether a part of the same might not in addition to the principal sum just received, be invested in some productive fund.

Very respectfully, your obdt. serv't.

CORNELIUS STEVENSON,

January 5, 1833.

City Treasurer.

COMMON COUNCIL.—Mr. Elliott moved to take up for consideration the ordinance, reported at the last

meeting of Councils which was agreed to, and was passed.

Mr. Merrick called up for consideration the resolution attached to the report of the Committee to continue the Rail-Road along Broad street, passed by the Select Council, Dec. 28, 1832.

Mr. Maitland, as Chairman of the committee made the following report and resolution which were agreed to.

The committee on the Drawbridge lot, to whom was referred the petition of Messrs. Kerns and Snyder, beg leave to report:

That they have given the subject preferred to them all the attention in their power and find that in their opinion it is inexpedient to take any further measures respecting the petition, and beg leave to be discharged from the further consideration thereof.

PHILADELPHIA LYING-IN CHARITY.

According to the provisions of the Charter, the first annual meeting of the Contributors to the Philadelphia Lying-in Charity, was held November 12, 1832, ROBERTS VAUX, Vice-President, in the Chair.

REPORT OF THE BOARD OF MANAGERS.

In introducing the first Annual Report to the Contributors, and to the notice of the citizens of Philadelphia, it is proper to observe, that the recent origin of the institution, necessarily precludes the expectation of any very extended results.

If we consider, however, that in the short space of one year, another benevolent institution has been added to the many which already flourish in this city, that its organization is so complete, that, besides the act of incorporation granted by the Legislature, it is already in full and efficient operation, ministering to the wants of distressed females, enough we should trust has already been done to warrant the promise of much future usefulness.

Of the propriety of establishing the peculiar kind of charity for which we now solicit the favor of our fellow-citizens, little need be said. The philanthropy of Philadelphia, at all times so conspicuous, appears in this instance to have been tardy, or rather to have omitted in its work of goodness, one class of individuals, for whom we now venture to present a claim. It is to the hearts of husbands, and of wives, that we appeal, and we trust the appeal will not be unsuccessful. The Deaf and Dumb, the widow and the single woman, the poor, the orphan, all are the objects of our especial care—while the helpless wife, and the deserted mother, have yet found no succour save in the crowded wards of the Almshouse, or in the comparatively limited department of the Pennsylvania Hospital. To remedy this apparent omission, to supply this link in the extended series of our useful charities, is the object of this association, the future benefits of which may be estimated by the results already produced with very restricted means.

This institution is the first, and the only one of its precise nature in this country. Emanating from the motives already announced, no labored argument is required to prove the importance of a plan which is designed to ensure the safety, and administer to the necessities of a helpless portion of the female community, at a moment of peculiar solicitude and suffering. During the year now closed, it appears, from the report of the Physicians, that forty-two cases have been regularly attended. With this number we have reason to be satisfied, inasmuch as it establishes conclusively, the necessity and usefulness of our efforts.

From the Treasurer's report it appears, that the funds of the association though small, have, so far, been sufficient to meet its expenses; but to enlarge its benefits, by not only relieving the distress, but by contributing to the moral welfare of the dependent, and often deserted female, a more liberal support from contributors is not less required than it is confidently expected.

To administer to the wants of those whom misfortune has overtaken, will ever be the duty of the Christian and Philanthropist. It is to a public influenced by the most generous sentiments toward the friendless, and which is in the enjoyment of every blessing, that we now appeal. We bring to its notice as objects of especial regard females under circumstances well calculated to awaken every kindly feeling. Would they but view many of these, in "deep retired distress," abandoned by depraved and remorseless husbands—widowed by the unsparing hand of death, or sunk into sorrow by disease, or other calamities, and with all oppressed by the claims of depending offspring, the hand of charity, the aid which female sympathy would suggest, could not be withheld, but speedy and generous assistance would be dispensed for their comfort and happiness.

The contributors then proceeded to elect officers for the ensuing year, when the following gentlemen were chosen:

President—Wm. P. Dewees, M. D.

Vice Presidents—Roberts Vaux, Alexander Henry.

Chairman of the Medical Board—F. S. Beattie, M. D.

Treasurer—Edward Needles.

Secretary—H. Walton, M. D.

Managers—Christopher Marshall, Eli Welding, Richard S. Risley, John Crean, Jr., John Paul, James Hutchinson, Roberts Vaux, John Stille, Alexander Henry, Daniel M'Curdy, Edw. Needles, Thomas Eustace, Lewis Walton, Samuel Moore, Thomas Eastlack, James Stewart, Moses Reed, Charles H. White.

The attending Physicians are as follows:

George S. Schott, M. D. No. 43 north Sixth street.

F. S. Beattie, M. D. No. 28 north Tenth street.

E. Y. Howell, M. D. south east corner of 13th and Arch streets.

George Spackman, M. D. west side of 12th street, 2d door below Race.

Robert Stewart, M. D. north west corner of Schuylkill Seventh and Market streets.

T. F. Ash, M. D., N. W. corner of Spruce and Dean streets.

W. Jewell, M. D., S. W. corner of Locust and 12th streets.

J. G. Nancrede, M. D., S. E. corner of Walnut and Tenth streets.

J. Green, M. D., N. E. corner of Spruce and Seventh streets.

J. Dunott, M. D., No. 114 Lombard street.

H. Walton, M. D., north side of Chesnut street, between Schuylkill Sixth and Seventh streets.

Subscriptions will be received by the Treasurer or any of the Managers.

Published by order of the Contributors.

H. WALTON, M. D. Secretary.

WOLF.—On Monday last, a wolf of a large size, was shot by a man of the name of Coolbaugh, in Columbia township, in Bradford county. The particulars as told to us, are as follows:—The wolf was discovered by Samuel Strait, Esq. attempting to cross the road, in order to escape to the mountain. With some efforts, however, he succeeded in driving him back into a small piece of woods, for the purpose of hemming him in, and forcing him to surrender. The alarm was immediately sounded, and many of our citizens rallied, anxious to get a sight at "his Excellency" while "in the land of the living." But before they reached the spot, "the dreadful deed was done!" A second attempt to cross the road, where our hunter stood—"with rifle ready cocked"—proved fatal.

DIED, in Swatara township, on Saturday, Mrs. Dagen, aged 102 years, widow of the late Ludwig Dagen.

At New Holland, on the 13th inst. Peter Hildebrand, in the 104th year of his age, and a native of Lancaster county.

POST OFFICES.

The Post Office Department has published a list of Post Offices established, discontinued, and of those, the names of which have been changed, from the first of July 1832, to the first of January 1833. We copy that part of it which relates to the state of Pennsylvania.

PENNSYLVANIA.

<i>Counties.</i>	<i>Offices.</i>	<i>Established.</i>
Adams	Whitestown	
Beaver	Brighton	do
Bedford	Sarah	do
Berks	Bernville	do
Do	Fetherolpsville	do
Bucks	Fisherville	do
Cambria	Wilmore	do
Center	Buffalo Run	do
Do	Centre Furnace	do
Do	Washington iron works	do
Chester	Grove	do
Crawford	Spring	do
Cumberland	West Hill	do
Delaware	Howellville	do
Indiana	Kent	do
Juniata	Port Royal	do
Lancaster	Landisville	do
Luzerne	Dallas	do
Do	Hyde Park	do
Do	La Grange	do
Lycoming	Muncy Mills	do
Do	Sabina	do
Do	Smith's Mill	do
McKean	Corydon	do
Do	Farmer's Valley	do
Mifflin	Hindsville	do
Montgomery	Abington	do
Do	Coltman's	do
Do	Dreshertown	do
Philadelphia	Ariel	do
Do	Cedar Grove	do
Potter	Genesee Fort	do
Somerset	Addison	do
Susquehanna	Auburn Four Corners	do
Do	South Auburn	do
Union	Barber's Mills	do
Do	Buffalo Cross Roads	do
Venango	Rock Tavern	do
Washington	Hayne's Mills	do
York	Dixville	do
Do	Farmer's	do
Do	Wolfgram's	do
Clearfield	Kylersville	Discontinued.
Franklin	Amberson's Valley	do
Fayette	Searight	do
Lycoming	Rattling Gap	do
Do	Shinersville	do
Somerset	Shade	do
Delaware	Concord Meeting House	Changed to
	Concordville	
Huntingdon	Graysville	do
	Baileysville	
Luzerne	Abington	do
	Abington Centre	
Do	Dallas	do
	Lehman	
Tioga	Daggett's Mill	do
	Spencerville	
Washington	Briceland's Roads	do
	Florence	
Do	Finleyville	do
	Peter's Creek	
Wayne	South Canaan	do
	Canaan	

COUNTY TREASURER.—On Wednesday last, the County Commissioners elected *William Stephens, Esq.* County Treasurer for the ensuing year of Philadelphia county.

APPOINTMENTS BY THE MAYOR.

City Solicitor—Edward Olmsted.
 City Commissioners—William Faries, Thomas Est-
 lack, John White.
 City Clerk—Robert H. Smith.
 Collectors of Water Rents—A. Davis, James Hickey.
 Clerks of High st. Market—Peter Conrad, Jas. Spicer.
 Clerk of New Market—John Land.
 Captain of the City Watch—William C. Doores.
 Lieutenant of the City Watch—David Thomas.
 Corder at the Drawbridge—Jacob Lawrence.
 Deputy do. Samuel Castner.
 Superintendents—Robert Patton, Samuel Carels.
 Vaccine Physicians—Dr. James M'Clintock, North
 Eastern District,—Dr. George Spackman, North West-
 ern District.—Dr. Justus Dunott, South Eastern Dis-
 trict,—Dr. Jerh. M'Cready, South Western District.
 Collectors of Vaccine Cases—John M. Fernsler,
 North Western District,—James Kerr, South Western
 District,—Thomas Porter, North Eastern District,—
 Francis M'Cormick, South Eastern District.
 High Constables—John M'Lean, Samuel P. Garri-
 gues, Willis H. Blaney, William Mandry.
 City Police—John J. Logue, John Manderfield, John
 Wile, Abraham Yates, Samuel Barry, Edward I. Nich-
 olas, James Griffith, William Lockery, Philip Mingle,
 Robert Miller, George Young, James Ireland.

CRIME.—The number of convicts in the Eastern
 Penitentiary, on the 1st inst. was 98.

In the Prison of the City and County of Philadelphia,
 on the 31st December, there were

Convicts—Men,	309
Women,	52
In the Prune st. apartment, men and boys,	41

Total, 402

Commercial Herald.

The following is the amount of duties paid by the
 different Auctioneers of the city, during the last quarter:

Geo. Thomas,	\$8034 72
R. F. Allen,	7935 21
H. D. Mandeville,	4334 02
Samuel L. Lippincott,	2044 97
Moses Thomas,	1060 02
Wm. Baker,	359 75
T. W. L. Freeman,	294 82
C. J. Wolbert,	210 00
Geo. Riter,	72 61
S. Poulterer,	39 89

\$24,385 99

The Tunnel on the Allegheny Portage rail-road is
 nearly three hundred yards in length. On the 30th
 inst. the first perforation was effected in this great
 work; and there is now no doubt of its completion dur-
 ing the winter. We learn, that so exact were the cal-
 culations of the scientific miners, who had charge of
 the undertaking, that, at the point where the workmen
 effected a junction, the apertures did not vary an inch.
 The Messrs. Appleton, contractors, have fully sustain-
 ed their reputation for perseverance and skill.—*Cam-
 bria Democrat.*

COAL MINE ACCIDENT.

MARCH CRUNK, December 29.

We have to record one of the most melancholy acci-
 dents which has ever occurred in this vicinity, since
 the commencement of the company's operations, and
 by which three families have been suddenly thrown up-
 on the benevolence of the charitable. We learn that this
 accident by which four men were killed, and two others
 sorely wounded, (one of whom was supposed to be
 mortally, though we are happy to have Dr. M'Connell's
 authority for stating that this apprehension is likely to
 prove unfounded, as the sufferer, Isaac Love is doing

well, and will in all probability, recover,) occurred yes-
 terday, (Friday,) in the course of the usual progress of
 stripping, as it is termed, of a high bank of coal, prepar-
 atory to the next year's work.

The bank had been undermined to a considerable ex-
 tent, and trenched above, and while the men were
 awaiting the fall, having previously removed their
 tools, &c.; it fell, but tore away a larger mass than they
 had anticipated, and overwhelmed nearly all the party
 below, eight in number: Wm. Stevenson, C. Sweeny,
 T. Gilmore, and H. Courtney, four of the number,
 were instantly killed, and their bodies so shockingly
 lacerated, as to render it impossible to remove their
 clothing when dug out. Of the remainder Isaac Love,
 and Hugh his brother, who were severely wounded,
 providentially escaped with life. The remaining two
 escaped all injury.

The mass which fell, weighed several tons: and con-
 sisted of frozen earth, and large masses of rock. No
 blame so far as we can learn, attaches any where, as the
 accident was owing to causes which no caution could
 have prevented, and no foresight could have anticipat-
 ed. Three of the sufferers have left families to mourn
 their untimely bereavement, two of which reside on
 the spot; the family of the other is in Ireland. The
 fourth victim, and two other sufferers, were single men.

The bodies were this morning committed to the
 ground. All the residents at the mines, with many
 others, attended them to the grave.—*Courier.*

From the Carlisle Herald, Dec. 25.

CHOLERA AT CARLISLE.

The following embraces a list of all the fatal cases of
 cholera since our last—

Mrs. — Holmes, wife of Andrew Holmes, jun. was
 attacked on Monday morning, died same evening.

Mrs. Holmes' child, attacked on Saturday, died Sunday
 morning.

Susan Swartz was attacked on Monday and died Tues-
 day morning.

Adam Swartz was attacked on Monday and died on
 Saturday.

George Swartz was attacked on Tuesday evening
 and died on Sunday.

William Swartz was attacked on Tuesday evening,
 and died on Sunday.

Andrew Jackson Hood was attacked on Monday and
 died same day.

Mrs. Elliott's child was attacked on Monday and died
 same day.

William Curry was attacked on Friday and died on
 Sunday night.

Mr. Samuel M'Kim, eldest son of James M'Kim, de-
 ceased, was attacked on Thursday and died on Sunday
 night.

The death of the last mentioned is truly an afflicting
 dispensation, as Mr. M'Kim supplied, in a great mea-
 sure, the loss of the paternal guardians of that young
 family. He was a young man of sober, steady, and in-
 dustrious habits, and endeared to all who knew him.

CARLISLE, Pa. Dec. 31.

Health of our borough.—Since our last we have heard
 of no new cases of the disease called by some of our
 physicians cholera, although there have been several
 deaths of persons previously attacked. With ordinary
 care, we hope no return of the scourge will take place.
 Two cases of death by small-pox or varioloid, both of
 which were infants, have occurred since our last. This
 disease appears also to be fast on the decline. The
 state of health in our borough is so far improved as to
 render visits to it entirely safe.

SUPREME COURT.

December 27, 1832.

The argument in the case of the Lehigh Bridge Com-
 pany, vs. The Lehigh Coal and Navigation Company,
 was resumed and continued by Gibbons and Sergeant

for the appellers, and concluded by Porter for the appellent.

The questions were—

1. Is the defendant liable, under the act of Incorporation, in a proceeding by inquest, for damage done to a pier of the plaintiff's bridge, in consequence of a rise in the stream, during the erection of a dam, in which a sluice was left during the construction of such dam, for the passage of boats and rafts, whereby such pier was undermined and cracked.

2. Is a charter of incorporation forfeited by repeated failures to hold their annual elections, and if so, can it be taken advantage of in a suit brought by such corporation, or must it not first be declared forfeited by quo warranto.

3. Is a corporation *a person* entitled to institute proceedings to recover damages under all the incorporating defendants.

4. Were the damages in this case excessive.

5. In a proceeding by a Bridge Company to recover damages under the act incorporating defendant, ought the increase of travelling over the bridge, consequent to the construction of the work, during such construction, to be taken into consideration, or "advantages derived to the plaintiff from the navigation."

The court confined the counsel in reply, to the 1st, 4th, and 5th reasons, deciding the 2d, and 3d, in favor of plaintiff.

The cause occupied the whole day, and curia adv. vult.

December 28, 1832.

The case of the appeal from the decree of the Circuit Court of Montgomery county, reversing the decree of the Orphans' Court of that county, in the matter of the account of the Executors of Samuel McNair, deceased, was argued by Kittera for the appellants, and Rawle, jr. for appellees. The principal question was on whom was to fall the loss of a certain Bond belonging to the decedent's estate, which came into the Executors hands, and which they had not collected. The legatees claiming to charge them with the amount of it, and the Executors claiming a credit for such amount.

The cause occupied the day. Curia adv. vult.

January 3, 1833.

Mr. Brooke commenced the argument for the appellant, in the case of John D. Bausman, vs. The Lehigh Coal and Navigation Company, an appeal by plaintiff from the Circuit Court of Northampton county.

Mr. Porter replied for the defendant; and

Mr. Tilghman concluded for plaintiff.

The points presented were, 1st. Whether a release executed by plaintiff covered the claim of damages as to one of the tracts of land owned by plaintiff; and

2d. Whether a mill erected in the Lehigh without the authority of law, was a mill for which the alleged owner could recover damages, for swelling upon and destroying it, in making the navigation upon the river Lehigh.

On the conclusion of Mr. Tilghman's argument, the court adjourned till next day.—*U. S. Gaz.*

STATISTICS OF PITTSBURG.

Articles gauged from December 22, 1831, to December 24, 1832.

Whiskey,	10,247 barrels.
Molasses,	584
Oil,	329
Brandy and spirits,	173
Bounce and wine,	176
Honey,	18
Tar,	24
Varnish,	7
Spirits turpentine,	42
Stock,	113
Ullage,	225

Total, 11,938 barrels,

Fees received, \$714 50.

HAY weighed from 20th December 1831, to December 24, 1832—1187 tons. Fees received, \$296 75.

SALT inspected during the year—20,041 barrels. Fees received, \$246 46.

LUMBER measured within the city, 5,901,739 feet.
Out of the city, 102,836

Total lumber, 6,004,575 feet.

WHARFAGE, 42,030 tons.

TONNAGE, Imported, 14,087
Exported, 22,014

THE REGISTER.

PHILADELPHIA, JANUARY 12, 1833.

The following statement shows the occupations of 158 persons, now advertised as applying for the benefit of the insolvent laws. The most numerous of any class of applicants appear to be laborers and house carpenters. Considering the many improvements now in progress, it is rather surprising that so many of the latter description should be compelled to this mode of settling accounts.

INSOLVENTS.

Laborers,	20	Morocco dresser,	1
Housecarpenters,	17	Combmaker,	1
Cordwainers,	9	Coachtrimmer,	1
Weavers,	8	Tobacconist,	1
Innkeepers,	7	Musician,	1
Blacksmiths,	5	Porter,	1
Oyster cellar keep'rs,	5	Tablet painter,	1
Accountants,	5	Gilder,	1
Painters and glaziers,	4	Coachmaker,	1
Hatters,	4	Brickmaker,	1
Bakers,	3	Comedian,	1
Dealers,	3	Nail cutter,	1
Cabinet makers,	3	Teacher,	1
Hair dressers,	3	Bricklayer,	1
Saddlers,	2	Cutler,	1
Gentlemen,	2	Victualler,	1
Plasterers,	2	Ironfounder,	1
Grocers,	2	Farmer,	1
Mariners,	2	Gunsmith,	1
Stone masons,	2	Goldbeater,	1
Ship carpenters,	2	Skindresser,	1
Druggists,	2	Lottery broker,	1
Carters,	2	Pearl worker,	1
Taylors,	2	Cedar cooper,	1
Traders,	2	Currier,	1
Waiter,	1	Waterman,	1
Stone cutter,	1	Plumber,	1
Cooper,	1	Merchant,	1
Watchman,	1	Miller,	1
Dentist,	1	Pedlar,	1
Coppersmith,	1	Fringemaker,	1
Umbrellamaker,	1	Printer,	1
Watchmaker,	1		

On Thursday there was a fall of snow during a few hours, but the pavements being damp, it was dissolved as soon as it reached them. It is now clear and cold.

A. MABON has been re-elected Treasurer of the state.

Printed every SATURDAY MORNING by WILLIAM F. GEDDES, No. 9 Library Street, Philadelphia; where, and at the PUBLICATION OFFICE, IN FRANKLIN PLACE, second door back of the Post Office, (front room) subscriptions will be thankfully received. Price FIVE DOLLARS per annum, payable annually by subscribers residing in or near the city, or where there is an agent. Other subscribers pay in advance.

HAZARD'S REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

VOL. XI.—NO. 3. PHILADELPHIA, JANUARY 19, 1833. NO. 264.

REPORT OF COMMITTEE ON LIGHTING THE CITY WITH GAS.

The committee to whom was referred a resolution of Councils directing an inquiry into the expediency of Lighting the City with Gas—report,

That, impressed with the importance of the inquiry referred to them, not only as regards the amount of investment required to carry the project into successful operation, but the moral effect that must be produced by increasing the comfort, convenience, and safety of the inhabitants—the committee have bestowed great attention, and made minute inquiries, in order to be fully satisfied in their own minds of the propriety of the measure, before recommending any course to Councils in relation thereto.

In the course of their investigation, they examined with care the establishments for the manufacture of gas now existing in Baltimore, New York, and Boston. In these cities, carburetted hydrogen gas is made from different materials, and dissimilar apparatus; and they consequently have been enabled, by comparing the expense of each gas, taking into view their respective illuminating powers, and cost of apparatus, to determine the nature of the works which will be found most advantageous in the event of any system of gas lighting being adopted.

These investigations have resulted in a strong conviction on the minds of your committee, of the great advantages that would result to the community, by the adoption of a system of public lighting, which they believe is far superior, and more economical than that now pursued, and in this opinion they are supported, not only by their own observation, but by the experience of every individual at all conversant with the subject.

In arriving at this conclusion, the committee directed their attention—First, to a comparison between the economy of oil and gas as a means of illumination: Second, to the material from which gas may be produced with greatest advantage: Third to the objections against gas works as dangerous and offensive: and Finally, to the proper location, and probable expense of construction.

To these points, severally, the attention of Councils is requested.

Comparison between Gas and Oil.

In treating on this subject, it is not the intention of the committee to enter into any estimate of the cost of manufacturing gas, for two reasons: First, because in the end, any such estimate must prove fallacious, as the expense attending any species of manufacture, depends upon many contingencies which cannot be taken into account; and Secondly, it is deemed improper, after the candid manner in which these inquiries have been met by the gentlemen interested in gas works, to expose to public view, any calculations tending to effect their interests. It is believed the end may be fully accomplished by comparing the selling prices of the several gasses respectively, with oil, and showing the state of the concerns of those engaged in its manufactures so far as it may be proper to make them public.

The Baltimore company manufacture gas entirely from bituminous coal; the New York company from rosin; and Mr. Robinson, of Boston, a gas from the two

materials combined. The several estimates of value, as compared with oil, are, in the judgment of those concerned, as follows, viz.

Coal Gas—specific gravity = 400, at \$3 33½ per thousand cubic feet, is equivalent to oil at 66½ cents per gallon. Rosin Gas—specific gravity = 750, at \$7 00 per thousand cubic feet, is equivalent to oil at 80 cents per gallon. Combined Gas—specific gravity = 600, is equivalent to oil at 70 cents per gallon—or, in other words, 200 cubic feet of coal gas, costing, at \$3 33½ per thousand, 66½ cents—or 114 feet of rosin gas, at \$7 00 per thousand, 80 cents—or 140 feet combined, costing, at \$5 00 per thousand, 70 cents, will, respectively, give the same light, in the same time, as one gallon of oil.

It should be borne in mind, in all inquiries respecting the illuminating powers of different bodies, that the quantity of light in the same time must be carefully considered. This remark is made for the reason that the committee have found this circumstance generally overlooked. Frequently it has been observed to them by consumers, that gas light was quite, if not more expensive than oil, but when pressed upon the subject, acknowledged that their stores were better lighted, which readily accounted for the increased expense.

In taking the estimate of the comparative value of coal gas as here given, on the correctness of which all sources of information agree, it is very clear that the public lamps could be supplied with gas at less expense by 33½ per cent. than with oil, the same quantity of light being obtained, provided the gas could be purchased at \$3 33½ per thousand. It becomes therefore a question to be determined by a view of the state of similar works, whether it would be a profitable undertaking to manufacture gas at city cost.

The Baltimore company, the oldest in this country, and who may be considered the pioneers in gas works, both as to date and variety of experiments, originally constructed works for the manufacture of tar gas. This scheme totally failed, both as a source of profit to the manufacturers, and convenience to the consumers. The gas afforded being too offensive for endurance, these works were abandoned, and new works for the use of coal, were constructed by an English engineer, on a plan now used in some parts of England. The second set of works have in their turn given place to others, which produce gas with greater economy, and are now in successful operation. Their gas is of an excellent quality; and notwithstanding the great expense they have incurred in bringing the works to perfection, and in addition, the circumstance of their gas being burnt (ad libitum) without, in many instances, any restrictions as to the quantity burnt for the price paid, the stock of this company is 35 per cent. above par, with a surplus fund, and paying 8 per cent. dividends. They furnish 3000 private, and 100 public lamps.

The New York Gas company's works were originally constructed for oil gas. Finding the material too expensive, rosin was substituted. They too, have had their difficulties to encounter, and prejudices to overcome. That their gas has forced itself into favour, is clearly demonstrated, by the fact, that they now light 10,000 private, and 376 public lamps—under a contract with the corporation of the city to furnish gas for a certain burner specified, at the annual cost of oil ex-

pended on each of the residue of the city lamps, and which proves to give about five times the quantity of light that is afforded by each of the oil lamps upon which the price was predicated. The company are losers annually, between four and five thousand dollars on this contract, and yet their stock is 46 per cent. in advance of the par price. They annually lay by a considerable surplus, and pay 10 per cent. dividends.

The Boston gas works being private property, of course no notice of their profits can be taken.

If the prosperous condition of the several gas manufactories in this country, is not sufficient evidence of the profitability of the manufacture, a reference to the offers made to former Councils, by men well versed in the routine of its manufacture, may set the question at rest. An individual offered, a few years since, to light, free of cost, all the city lamps within the range of his pipes, in consideration of permission to lay the pipes in the streets.

Being satisfied, therefore, that the manufacture and sale of gas is a profitable business, and at the selling price, is cheaper than oil, it is perfectly clear that the gain to the city, by its introduction, will not only be the 33½ per cent. difference between oil and gas at that price, but the difference between the cost of manufacture and the price at which it is sold, be that more or less. When, moreover, it is considered that the proportion of gas sold to individuals in other cities, is thirty private to one public burner, it is fair to presume, that the consumption of gas by the citizens of Philadelphia, will be sufficient to reduce the cost of that used for city purposes, so as to materially diminish, if not annihilate, that portion of the now existing tax.

It remains but to make a single comparison of cost before leaving the subject.

During the month of December, a careful account has been kept by the captain of the watch, of the consumption of oil by one city lamp, an Argand burner with reflector. The result is, that the number of hours it burnt was 235, and the quantity consumed, measuring each filling carefully, was 3 gallons 1½ pint. The number of hours during which, in June, the lamps were lighted, was 121, and the average number of hours for each month was a hundred and seventy-eight, or per annum two thousand one hundred and thirty-six. The aggregate consumption of oil upon the experiment made, would be twenty-nine gallons per annum. No allowance is here made for waste or for the difference between the freedom of volatilization in the variations of temperature, the experiment being made at a low temperature, when much less quantity of oil would be consumed than in warmer weather. The same officer reports, that for the common city lamps, he delivers to the watchmen thirty-six or thirty-eight charges of oil per annum, of one quart each, and for the Argand reflecting lamps, at the same time, one gallon for each. The comparison will therefore be founded on a consumption of thirty-six gallons per annum. The cost, therefore, of sustaining one Argand reflecting lamp, will be,

Thirty-six gallons of oil at \$1,	\$36 00
Extra attendance to watchmen, at 50 cents per month,	6 00
	<hr/> \$42 00
One gallon of oil being equal to 200 feet of coal gas, a light of equal intensity, would consume 7,200 feet per annum, at \$3 33½ per thousand cubic feet,	<hr/> 24 00
Saving on each reflecting lamp,	<hr/> \$18 00
The common city lamps consume one-fourth the quantity of oil, or 9 gallons at \$1,	9 00
One-fourth the quantity of gas, or 1800 feet, at \$3 33½,	6 00
Saving on common lamp,	<hr/> \$3 00

In considering the economy of gas, one important item should not be overlooked—the committee refer to

the expense and trouble incident to the attendance and cleansing oil lamps, and waste of oil. In large establishments where oil light is used, this is an onerous tax, which on the introduction of gas lights will be wholly done away with. The committee have conversed with several large consumers, who have declared their willingness to pay fifty per cent. additional, rather than be deprived of a light so convenient and so clear.

The want of economy in the consumption of gas in Baltimore has been noticed; the consumers generally pay by the burner which is defined. Each consumer uses as much as can pass the apertures in the burner, and frauds are committed by enlarging them. Having no motive for economy, the lights are used as long as it may be convenient, and no attention is paid to saving the gas.

In New York and Boston, a different system has been adopted, by which the quantity consumed by each individual, is accurately measured and charged accordingly. This is effected by an instrument called a metre, which is attached to the service pipe at the entrance of each house; this instrument is of tin, and of a cylindrical form, revolving in a case air-tight of the same metal. The inner cylinder, which is composed of four apartments of given dimensions, revolves in water immersed to a point a little above the axis; each compartment has two openings, one for the admission, and the other for the emission of the gas. As the cylinder revolves by the pressure of the gas, the compartment rising out of the water fills, which displaces the water it contained, while the other descending, refills with water, the gas passing upward through a discharge pipe to the burners. The axle of the revolving cylinder operates upon gearing, to which clock hands are fixed, indicating on the dial, the number of revolutions made, and consequently, the capacity of the cylinder being previously ascertained, the quantity of gas consumed, is measured. The adoption of this system tends to the advantage of all parties. The consumer pays for no more than he uses, and consequently burns with as much economy as is consistent with his interest, and the producer not subject to loss from carelessness or malice. The key of this metre is kept in possession of the manufacturer.

Material to be Used.

Various circumstances induced the committee to select bituminous coal, as a material which may be used with greatest economy in the manufacture of gas. In the first instance, the gas made from it is less expensive; but this advantage is in some measure counterbalanced by the greater amount of investment required for its introduction. The coal gas being the lowest in the scale of illuminating powers, the same quantity of light will require a proportionate increase in quantity of material; of course more extended works for the production and larger mains for conduit, are required. Were there no other considerations, a question might arise.

All the products of coal gas are available for some useful purpose. The coke is a valuable fuel, and one for which a great demand will at once be created for manufacturing purposes. Each bushel distilled, will produce one and a quarter bushels of coke, which for manufacturing purposes, is equivalent to a barrel of charcoal. The tar, of which one quart is produced from each bushel, finds a ready sale at both the existing works at three dollars per barrel; and the ammoniacal liquor, of which the same quantity of coal produces four gallons, is purchased by the chemists at half a cent per gallon. The value of the residuum from each bushel of coal, may therefore be estimated as follows—

One-fourth bushel of coke, allowing for waste 20 per cent.—will net to customers one bushel at	15
15 cents,	15
One quart of tar, net,	2
Four gallons of ammoniacal liquor,	2
	<hr/> cts. 19.

or very nearly the cost of coal distilled.

On the other hand, rosin yields no residuum of any value as an article of sale, consequently the whole cost of the material must be paid out of the sale of gas.

Again:—The production of coal (a staple article of Pennsylvania commerce,) is unlimited, and when the improvements now being made are completed, the probabilities are more in favor of a reduction than of an advance in price. The increased demand occasioned by the consumption at the gas works, would not have the effect of enhancing the value of an article of so vast a production as coal.

Rosin, on the contrary, is but a residuum in the manufacture of turpentine, consequently its production will be limited by the demand for turpentine, until the price is so advanced as to make it a primary object, in which case the cost of gas made from it, would far exceed that of coal gas. It is easy to predict the effect upon the market by the sudden creation of a demand so great as would be required for an article limited in its production, and already scarce.

In planning the works, it may be expedient, while the general arrangements are designed for the coal gas, to provide for a few benches of rosin retorts, having a double object in so doing. A portion of rosin gas, mixed with that from coal, will much improve the brilliancy of the light produced. This of itself would not be a sufficient reason, but it is believed that such an arrangement will be conducive to economy, in making use of the oily matter evolved from rosin gas to mix with the fine coal and dust now lying refuse on our anthracite coal wharves, which it is probable would produce a fuel sufficiently inflammable for the use of the works, at an expense less than that at which other fuel could be procured.

Objections.

In the investigations of the committee, their especial attention was called to the only objections of weight, that they believed could be urged against the proposed system.

Danger from explosions, and the offensiveness of the manufacture to the neighbouring inhabitants.

The first of these objections might almost be dismissed without discussion, when it is considered that the gas itself can not explode under any circumstances, without an admixture in certain proportions with atmospheric air, and that such an admixture could not possibly take place to any great extent, either suddenly or without the knowledge of the workmen. The danger of explosion at the gasometer stations, is so remote as not to be worthy of a thought.

The only danger to be apprehended, is from leakage in pipes where they are enclosed in air-tight vaults or closets. And even here, the very existence of the leak must be detected by the odour of the gas.

In evidence of the entire security which exists against such an evil, it may be remarked, that notwithstanding the immense extent to which the production of gas has been carried both in Europe and America, there has been no instance come under the observation of the committee, in which loss of life has been sustained in consequence of explosions. In the early stages of the art, accidents did happen, which drew the attention of the British Parliament to the subject. A committee was appointed, who, after a patient investigation, and an examination upon oath of every distinguished, practical, and scientific individual they could find, versed in the art, reported against any parliamentary enactments on the subject. The danger from fire too, is much less in houses where gas is used than oil. The insurance companies much prefer the former risk.

The remaining objection is to the offensive nature of the manufacture, and on this head the community have had great cause of complaint.

The nuisances complained of, arise from the discharge of the residuum and refuse lime water into the streets and sewers. The coal gas works are less liable to ob-

jection on this account, as the residuum is all stored away for sale, leaving the lime water only to be discharged, the manufactory itself being no more offensive than a foundry or large smith's shop, where much bituminous coal is consumed. The precaution lately adopted at Boston has overcome all difficulty. The lime water is discharged through an iron pipe into the river, under tide water, and provision made to prevent its return up the neighbouring sewer upon the reflux of the tide. With this precaution no inconvenience is felt. All objections on the score of offensiveness, may be overcome by judicious arrangement in the construction of the works.

Location.

In determining the location of a manufactory in which large quantities of bulky material or fuel is required, the main circumstance to be considered, is the facility of placing the material at the works; and of course it should be located as near to navigation as possible; believing that it would not be judicious to seek a location without the limits of the city. Two sites only present themselves; the one, in Drawbridge lot, the other, below the bridge on Schuylkill. The first of these would in many respects be preferable, but considering the value of the property, the whole of which would be required, it might perhaps be more economical to incur the expense of a transit main to the Delaware front, and establish the works on the lot bounded by Chesnut, Front, and Beach streets, and provide on the Delaware front sufficient gasometer room to supply the eastern plane with gas during the night, which had been made and transmitted from the works in the day time.

This main would require to be separate and disconnected from the pipes from which the gas is taken for consumption, because it would be so unequal in the several parts of its elevation and depression, that no uniformity of light could be maintained, and if the gas was forced over the elevation in Broad street with sufficient pressure to discharge it at Water street through the ordinary conduit pipes, the leakage, by reason of the numerous openings, would cause great waste. It will therefore be requisite, after preparing sufficient gasometer room at the works to supply the western plane of the city and store the night's manufacture, to furnish stations at several depressed points on the eastern plane of the city, adequate to its consumption. A plan of the city has been prepared, with proposed mains and pipes laid down, as follows, viz:—In Asheton and Water streets a main of ten inches diameter in the clear, must be laid for the supply of their respective sections of the city, and connected by a transit main of the same dimensions from Asheton street down Spruce to Dock street lot, where it is proposed to make the first gasometer station; from thence the Water street main is to be supplied. The connexions to the Asheton street main between the works and Spruce street, to be stopped during the day time while the transit of gas is effecting.—From the Water street main, it is proposed to lay two six inch mains up Market and Chesnut streets to Broad, up Dock street to Third, and one main of the same size up Walnut and Arch streets. Two six inch mains the whole length of Second street, and in Third main in Fourth and Sixth streets, from Chesnut to Vine street—and in Fifth street from Chesnut to Cedar street. Two six inch mains in Broad, from Cedar to Vine street. In all other streets, two lines of four inch, and in all lanes or alleys, one line of three inch pipes.

By this arrangement of the mains and lesser pipes, it is believed that an ample flow of gas may be effected in all parts of the city, and capacity of main sufficient for its regular transmission to the several gasometer stations that may hereafter be required.

In proposing this disposition of the several pipes, it has been the view of the committee, that although the great extension will very much diminish the income of the works as taken in relation to its cost, by increasing

the investment and expending it in situations where no revenue can be expected, yet as the construction of these works will be a great public benefit, increasing the comfort and safety of the inhabitants, the light, so obtained at public expense, should be shed alike on the poor as well as the rich; they therefore have provided for the transmission of gas as speedily as means can be obtained, through every street, lane, or alley in the city.

Expense of Construction.

In estimating the expense of constructing the necessary works for the manufactory of the gas, as well as its transmission through the various sections of the city, the committee have deemed it proper, that no reflections may be cast upon them in future times, to consider them in their fullest extent, and to include works of sufficient capacity to answer for the purpose of manufacture and distribution of all that will probably be required for a long series of years. In preparing the plans, it would be judicious to make such arrangements as will carry this object into effect, that in the event of their being completed at some future day, they may present a symmetry of appearance and uniformity of arrangement, that will do credit to the city which possesses, and the engineer who constructed them; hence it will be necessary to allot ample ground, and have a general outline prepared for their future completion. In the mean time, if the commencement be in accordance with the plan devised, a very small portion of the works may be now constructed, leaving the gradual increase to be effected as the demand for gas, and the means at hand for their extension, will warrant it.

The whole plot of ground alluded to, will not be more than sufficient for the object, and should at once be appropriated. Before making this estimate, it will be necessary to determine as nearly as possible, what the extreme consumption will be. This of course must be done upon the longest night in the year, as to meet this, the works must be competent.

The number of lamps now in use (public,) is less than 2300, and are spread over nearly the whole city. They will not therefore be materially increased; the estimate will be based on 2500 burning 12 hours, and consuming $3\frac{1}{2}$ feet per hour; id est:— $2500 \times 12 \times 3\frac{1}{2} = 105,000$ cubic feet for one night's consumption,

Say, - - - - - 105,000
Suppose 2500 burners (private,) each burning from 5 till 10—5 hours, consuming $3\frac{1}{2}$ cubic feet per hour, or $12000 \times 5 \times 3\frac{1}{2}$ for consumption = - - - - - 210,000

Total number of cubic feet, - - - - - 315,000

To furnish to consumers 315,000 feet of gas in one night, and compensate for waste in its transmission and condensation in pipes—66 coal gas retorts, with proportionate apparatus for condensing, purifying and storing, will be required. In determining the cost of these extensive works, your committee are guided by a comparison with similar establishments, and by such information as could be gained, without making complete drawings and accurate estimates from them.

Being inclined to give the fullest latitude to every contingency, they are of the opinion that \$200,000 will cover the whole expense, including the transit main from Asheton street to the Dock street station, together with three gasometer stations, and four gasometers on the eastern plane of the city, but exclusive of conduit pipes.

The expense of laying the pipes for the transmission of gas throughout the city, can be determined with considerable accuracy from the experience already had.—From the plan laid down, the measurement of the several sizes have been made with due allowance for branches and hubbs, as follows:—The prices are per foot, and including every expense:

11,146 feet of 10 inch main at \$1 95,	\$ 21,734 70
83,703 " 6 " 1 07,	89,562 21
349,620 " 4 " 0 71,	248,230 20
108,396 " 3 " 0 60,	65,037 60
Total, - - - - -	\$424,564 71
Add cost of works as above, - - -	200,000 00
2,500 lamp posts, including lamps and fixtures, at \$25, - - -	62,500 00

Total expense, - - - - - \$687,064 71

In preparing this estimate, the committee have been careful to avoid deceiving themselves or the Councils as to the eventual cost of the works, being unwilling to be reflected upon hereafter, for having induced the Councils, by imaginary calculations, to engage in any work more costly than they were led to believe; they have therefore placed the estimate on so liberal a footing, that they feel confident the whole work may be executed considerably within that amount.

Several years must elapse before the whole plan can possibly be carried into execution, and it will rest with future councils to determine whether it shall stop, or to what extent it shall be carried. In the mean time, with the expenditure of less than half of the capital stated, the works may be completed so far as may be required to convey the gas through the business parts of the city. That portion of the city will yield all the profit that can ever be expected to arise from the sale of the gas, and will of itself be sufficient gradually to extend the pipes to such parts of the city as will remain, and in which the gas will only be required for public purposes. An expenditure, it is believed, of two hundred and fifty thousand, or to the extent, three hundred thousand dollars, will carry this plan into complete effect, provided the works are not charged with the interest thereon. If the idea suggested by a committee appointed by the last Councils be carried into effect, namely, the construction of these works out of the income of the Girard estate, the Councils may rest assured, that the annual appropriation for light will be for ever extinguished, and one object of the benevolent testator carried into full effect—that of decreasing the burthen of taxation. The committee are unanimously of the opinion, that the Councils have full authority, in Mr. Girard's Will, to appropriate the surplus income of the estate for this purpose, and in this opinion they are supported by the city solicitor.

In accordance with these views, the committee have prepared an ordinance, the adoption of which they recommend. As the summer is the period of active operation, so the winter is the time for preparation, and as it would be advisable to have the works in readiness, and sufficient pipe laid to render them available for purposes of revenue before the ensuing winter, the necessity of an early decision is suggested. In preparing the ordinance, provision is made for a standing committee on lighting and watching. The object of uniting these two branches of public service, under the superintendence of one committee, is the intimate connexion which exists between the manufacture and consumption of the gas. Inconvenience has been found to exist in other cities from the public lamps not being under the control of the gas company's agent, an evil which it may be well to avoid.

All which is respectfully submitted. ~

JOSHUA LIPPINCOTT,
S. V. MERRICK,
MANUEL EYRE,
R. M. HUSTON,
JOHN GILDER,
JOHN P. WETHERILL.

Philadelphia, 1st January, 1833.

Committee.

Questions proposed by the Gas Committee.

I. Whether it be competent for Councils to apply the surplus revenue of the Girard Fund, to the purpose of lighting the City with Gas?

II. Whether it be necessary, first, to organize the police agreeably to the directions in the Will: or, if both can be done simultaneously?

The 24th Section of the Will of Mr. Girard declares one of the objects of his bequest to be "to enable the corporation to improve the city property and the general appearance of the city itself." Under this section, I am of opinion that Councils are empowered to apply the surplus revenue of the Girard Fund to the illumination of the city as proposed.

In the same section a direction is given as to the organization of the police; and the further improvement and maintenance of the College is enjoined. To the completion and organization of the "Girard College," the testator postpones all other objects, and to the organization and completion of the Girard College and the organization of the police, postpones the "improvement of the city property," &c.

If Councils be of opinion that the revenues of the Girard Estates are adequate to the "organization and maintaining the College," as directed by the testator, the "organization of the police," and the "improvement of the city property," then, all the objects may be commenced simultaneously. But if it should not appear satisfactorily to Councils that the income from them is adequate to the full and entire completion of all these objects, then the objects of the testator must follow the course prescribed by the Will, viz: 1st the completion and maintenance of the Girard College; 2d, the organization of the police; and lastly, the improvement of the city property, &c. EDWARD OLMSTED.

Philadelphia, 3d January, 1833.

An Ordinance to provide for Lighting the City with Gas.

Section 1. Be it ordained and enacted by the Citizens of Philadelphia, in Select and Common Councils assembled, That immediately after the passage of this Ordinance, and annually at the usual time of appointing Standing Committees, there shall be appointed a Joint Committee, of four members from the Select, and four members from the Common Council, who shall be denominated "the Committee on Lighting and Watching."

Section 2. And be it further ordained and enacted by the authority aforesaid, That it shall be the duty of the committee so appointed, to construct and erect suitable works within for the manufacture and distribution of carburetted hydrogen gas, for the purposes of illumination, through each street, lane, and alley, in the city. *Provided*, That the pipes of conduit shall be first laid in such streets, lanes and alleys, as the Councils may hereafter direct.

Section 3. And be it further ordained and enacted by the authority aforesaid, That the lot of ground bounded by Chesnut street on the south, Front and Beach streets on the east and west, and by property owned by the Permanent Bridge Company on the north—and so much of the lot bounded by Spruce, Dock, and Delaware Front streets, as may be necessary to contain two gasometers, be and are hereby appropriated for the location of the said gas works and gasometer station.

Section 4. And be it further ordained and enacted by the authority aforesaid, That the committee aforesaid be and are hereby vested with powers necessary for the construction of the works herein provided for—purchasing materials, making contracts, and for the purpose of carrying these purposes into effect, to employ such agent or agents as they may deem necessary.

Provided always, That the contracts of such committee shall not exceed the amount of moneys which may from time to time be appropriated for the use of said works, and they are hereby required to make report from time to time of their proceedings.

Section 5. And be it further ordained and enacted by the authority aforesaid, That the sum of \$300,000 be and is hereby appropriated to carry this Ordinance into effect, to be paid out of the surplus revenue of the Girard Estate.

Provided, That the said money shall be expended in such sums, and at such times, as Councils may direct.

Section 6. And be it further ordained and enacted by the authority aforesaid, That the sum of be and is hereby appropriated for the commencement of said works, and that the Mayor of the City be and is hereby authorized to draw his warrant on the Treasurer of the Girard Fund, for such sums, and at such times, as may be required by the committee aforesaid for the fulfilment of this Ordinance.*

Resolved, That the committee on Lighting and Watching be, and they are hereby directed, to prepare and report a plan for the re-organization of the City Watch, agreeably to the recommendation contained in the 24th Section of Stephen Girard's Will.

ANNIVERSARY

Of the "Philadelphia Typographical Society."

The Society held their anniversary meeting on Saturday last, at the house of Mr. Upton, Dock-st.

The following persons were elected officers for the ensuing year—President, James Russell; Vice President, William Mooney; Treasurer, J. P. Colcord; Secretary, Alexander Knox; Assistant Secretary, J. J. Haswell.

After the election, the Society participated in a very excellent entertainment prepared by Mr. Upton. They were honored by the company of the following gentlemen: The venerable Mathew Carey, Esq. and Col. William Duane, the veteran editor of the Aurora, both practical printers; Benjamin W. Richards, Esq. Col. T. L. McKenny, Mr. Richard Ronaldson, Mr. Adam Ramage, and others.

The following toasts were drunk, interspersed by a variety of excellent songs.

REGULAR TOASTS.

Our Anniversary—The most pleasing of our annuals; "The Pearl" of sociality, and a "Token" of fellowship that ever leaves a *fair impression*.

Franklin—The pride of our art, the statesman and the sage—though his body is *locked up* in his "narrow house," the rays of his genius continue to illuminate the temple of science.

The memory of Washington—The great and the godlike. The *imfression* of his virtues is deep and bright on the tablets of memory—the page of history records not his *parallel*.

Lafayette—Each new page we turn in the history of this illustrious man, bears the *running title*—"The friend of liberty and the rights of man."

The President of the United States.

The Governor of Pennsylvania.

The Union—A form of *Columbian*, from the foundry of '87—it has *stood too long* to be easily distributed by short-sighted and unskilful hands.

The Army and Navy—The *columns* of the one and the *broad-sides* of the other, have established, so will they perpetuate, the glory of the "Star-spangled Banner."

General Education—A work that should never be *cramped* by narrow measures nor *biased* by a few sections.

Agriculture, Commerce, and Manufactures—The three great *founts* of our national prosperity and wealth.

The surviving Heroes of the Revolution—A *small handful* yet remains to be distributed. We trust, that when they are again *set up*, they will exhibit a *proof* that will require but little *correction*.

Typographical Societies throughout the Union—May their cases of benevolence be *well filled* and properly distributed—May no worthy, distressed brother

* See a former report on the subject in Vol. X., p. 187. Also a comparison between gas, oil and candles, Vol. V., p. 189.

among them ever complain of having to *stand too long for sorts*.

The Fair.—They form a delicate and beautiful ornament in the title page of creation.—A tender sort, always appreciated by *accomplished workmen*.

The following letters were received from Mr. Joseph Gales and Mr. James Ronaldson, who were prevented from attending:

Messrs. Thomas Nesbit, Benjamin Mifflin, Willis H. Blaney, William Mooney, Alexander H. Hayes, Anthony Seyfert, Alexander Knox, and John Cole-
rick—on behalf of the Philadelphia Typographical Society.

Washington, Jan. 1, 1833.

Gentlemen—

It is to me a subject of regret, that previous engagements will deprive me of the satisfaction which I should otherwise have had in accepting your invitation, which has just reached me, to unite with you in the celebration of your anniversary, to which, on this return of it, is happily united that of the birth of the American father of the art which we profess. It is to the example of Franklin, and the instructive lesson bequeathed to us in the history of his life, that the art of printing owes much of the estimation in which it is at this day held throughout this country.

More than twenty-five years ago, gentlemen, then yet under age, though working as a journeyman in your city, I had the honor to be not only a member but an officer also of the Philadelphia Typographical Society, as then organized. Memory recurs frequently with pleasure to many incidents of that day. Well and freshly do I remember our periodical meetings, where I have heard questions concerning the interests of the fraternity and of humanity, discussed by the Society with as much zeal and earnestness at least, if not with the same eloquence and elaboration, as I have since heard questions of more general public concernment discussed in the halls of the nation. Few, I fear, remain among you of the then members of that Association. Time has been busy in the interval. For myself, I still retain the badge of the Society, and own the obligations to my brethren, which I took upon me in becoming a member of it.

For your kind expressions towards me, I am grateful, though conscious how little they are really deserved. All the praise I aspire to among printers, and to which I am willing to be considered entitled, is, never to forget, under any circumstances, but always to remember with pride and pleasure, that I too am a printer.

Requesting you to accept the assurance of my sincere personal regard, I am, gentlemen,

Yours, faithfully,

JO. GALES, Jr.

To the Committee of Arrangement.

Philadelphia, Cedar by 9th-st. }
Jan. 5, 1833. }

Gentlemen:

Being confined by a little sickness, I am debarred the pleasure of spending the evening with the Society—but with my best wishes I am amongst them, and wish the members success in their profession and happiness in their families.

I have to ask of you the favor of presenting the annexed toast.

Yours, sincerely,

JAMES RONALDSON.

My old friends, the Printers—True to your country, your honor, and the people's interests—and the corps will nullify Nullification, preserve the good old "Union Office" established by Washington, Franklin, & Co.—and for this patriotic and virtuous service, you have my best wishes for a full share of the office "*fat*."

By the Committee of Arrangement, Joseph Gales,

of Washington—May we, as printers, always delight to honor the man, whose pride and whose pleasure exults in the recollection of his being a printer.

By the Committee. James Ronaldson, Esq. the friend of science and the mechanic arts—Though absent, the *blank is filled up* by his good wishes and polite attention.

By the Committee. The health of Col. Wm. Duane, Esq.—The chronicler of Franklin.

Col. Duane rose, and in a very impressive manner addressed the company. He was deeply sensible of the honor of having his name associated with that of a patriot to whom he conceived this country was more indebted than to any other man—and he was pleased to find himself surrounded by so many who were earning an honorable livelihood in the same occupation which Franklin had long pursued. He would wish to impress on the minds of these young men to study the character of that great man—the great feature of it being, that he would not utter a falsehood!

He was not prepared with a speech, and would only speak of things with which his mind had been long familiar. The name of Franklin had been neglected on public occasions—but justice to his memory no doubt would be done here. The plan of the Albany Union suggested by him led finally to the adoption of the great Union of the States—and his genius in the writings of Poor Richard, had infused into the people a strict and necessary economy, on purpose to secure their independence, prepare them for self-government, and to enable them to resist tyranny and oppression—an economy proper for the occasion—but which had become now a parsimonious policy, inconsistent with the immense resources of our country at the present day.

Col. D. adverted to the examination of the illustrious patriot before the British House of Commons as the second epoch of his life—entered at considerable length into the history of our government—and showed that many of the acts of public policy to protect our independence and promote our welfare, could be traced back to the wisdom and foresight of Franklin. He would conclude, by offering the company this sentiment—

The memory of the man who most resembled Franklin—Thomas Jefferson.

By the Committee. M. Carey, Esq.—The systematic supporter of the rights of our country: Toil—fearless and indefatigable toil—have ever marked his course; for he perseveres in a cause, which posterity alone may know how to appreciate.

On this toast being drunk, Mr. Carey made a brief address, in which, after expressing his deep sense of the honor done him, he congratulated the meeting on the wonderful increase of the art of book-printing since the commencement of his career in 1784, when the printing of a Testament was a speculation on which two or three booksellers deliberated—whereas in 17 or 18 years afterwards, a standing quarto Bible complete was set up with moveable types, the only standing Bible in the English language in the world—on which nearly a million of copies have been printed. At present, there are in this country probably ten, perhaps a dozen, standing Bibles of different sizes, all stereotyped, except the one above mentioned, which is still in use, and on which large editions are constantly printed. He likewise offered his congratulations on the great improvement in the character and deportment of the operatives, among whom, particularly the pressmen at the early period above referred to, habits of intemperance were but too prevalent—habits now comparatively rare in both descriptions of workmen, compositors and pressmen.

By M. Carey. The Union of the States—One and indivisible: "United we stand, divided we fall."

By Willis H. Blaney. Col. M'Kenny—An able

leader in distributing benevolence to the Indians of America.

Col. McKenny observed that he was induced from the example presented by the distinguished gentlemen who had preceded him, to offer a few remarks, for the purpose of expressing his happiness at being present, as well as receiving an unexpected compliment. There was some cause for diffidence in addressing individuals who occupied so important a station in the community—for, whatever talents and genius might devise, printers were the important agents who prepared it for the public. However, as one of the gentlemen had experienced pleasure in hearing his name associated with that of Franklin, so was he in finding his name mentioned as a friend of the Red Men of America. He could lay no claim to being a leader, but a long acquaintance with their condition had led him to cherish a kind feeling towards them. The character of our Aborigines, he said, had been greatly misunderstood and neglected, and he was happy to find public attention awakened to the subject. Fear and avarice had produced many errors, and given rise to an unjust policy. From the first landing of the Pilgrim Fathers to the present day, the same policy had been pursued towards the Indians. He appealed to history for their vindication, and said that from the time Pocahontas had flew to the rescue of Captain Smith, there were innumerable proofs of elevation of character. On his approach to the Indian, he had perceived in him an eye lighted by intelligence—an ear quick in the perception of sound—a tread that would scarce disturb the fallen leaf, dreading the rifle-bullet of his enemy! He was wary indeed—but gain his confidence—smoke with him the calumet of peace—and it must be a stronger arm than his that does you harm.

There was one thing he was well assured of—the Indians cannot live happy near the whites. In their own language, the white men press on their heels and toes, and give no rest to the soles of their feet. He could not but hope that justice would provide them a sacred home beyond the Mississippi—cut off, if possible, even by walls, from the troubles they have hitherto encountered.

Col. McKenny related several anecdotes of Indian characters, and on concluding offered the following—

By Col. McKenny. The Aborigines of North America—A last resting place to them; a home where humanity and justice may combine to atone in the future for the wrongs they have endured in the past.

By B. W. Richards. The Art of Printing and Universal Education—The magic power destined to transform the world; the avenues of light, truth, knowledge, and freedom to mankind. The high destiny of the former cannot be fulfilled without the aid of the latter.

By Richard Ronaldson. The mangled page of South Carolina—May its errors be corrected to save the whole form from being beaten into pi.

By the Committee of Arrangement. The memory of Mathias Raser—When feelings of honor and integrity cease to have a preponderance in our minds, then, and not until then, shall his merits be forgotten.

By a Member. Charles Carroll of Carrollton—

Make way for liberty, he cried,

Make way for liberty, and died.

By A. Ramage. Literary Talent—Communicated to the reading world through the medium of the European and American press.

By Wm. Mooney. Edwin Forrest, tragedian—A star whose genius and patriotism will render his name a standard reference in the annals of the American drama.

By Adam Waldie. The Typographical Society of Philadelphia—May it be a standing form of benevolence—locked up in the chase of brotherly affection—its quins and furniture the best social and sympathetic feelings of our nature.

By Benjamin Mifflin. Binney and Ronaldson—The fathers of letter founding in America—their ingenuity, industry, and enterprise have materially contributed to the dissemination of knowledge.

By M. Carey. The patriot band of Unionists in South Carolina—Poinsett, Middleton, Grimke, and their co-adjutors.

By Alex^r McKelly. The Union—A capital form of Government, having no (!) in the history of nations—may a new (\$) in the Constitution put a (.) to the foul attempt to erase a (*) from our Country's banner; otherwise a (†) will be planted in our reputation which will cause the (⌋) of scorn to be pointed at us. Let the American press so (\$) the infamy of Southern Nullifiers that neither the influence of the British (£'s) nor the loss of American (\$'s) will induce any citizen to resist his country's laws. If one drop of blood is spilled in the cause of the disunion, may ambition of its movers receive such a (°) of exaltation that their ('s) may be cut short by the (∞) of a hempen cord.

By the Committee. Our worthy President—His impartial conduct as the presiding Officer of this society ever since its organization, has secured him the esteem and respect of its members.

By W. Hill. Calhoun, Cooper, Hayne, and Hamilton—The leaders of the Nullifiers; may their heads be used for mallets, and their arms for shooting-sticks to tighten the quins of the form of twenty-four's.

By J. J. Haswell. The Republic of Letters—May it ever be free from the shackles of monarchy.

By A. Seyfert. The memory of Mathias Raser—Though his form has departed, he will be long remembered as an ornament to our profession.

By a Member. South Carolina—A squabbled page in a form of twenty-four's; may it be straightened before it is worked off by balls.

By E. Barrington. The fair sex—The font case of all that's noble: may their employments never be sectional, nor endanger the "Union" by giving cause for nullification.

By Benj. Mifflin. The memory of Isaiah Thomas, the author of the History of Printing—His benevolence to the craft will ever be recollected.

By J. Rheim. Our Country—A diamond among the nations: May he who wishes to destroy its peace, prosperity, and happiness, be battered by a stick without a rule.

By the Committee. Benjamin W. Richards—An efficient advocate of the Republican system of Education; May his efforts in so holy a cause be crowned with success.

By Col. McKenny. The Press and its freedom; The body and soul of Liberty. Perpetual youth and vigour to the first, and universal circulation to the last.

By Wm. Wellington. The signers of the Declaration of Independence—We have run short of such sorts: May there always be a matrix ready for casting such, when wanted.

By Charles L. Hughes. The Printers—Composed in forms of many sorts of matter: May each new type never get battered, or plagued by the Devil, or cast into hell.

By . E. Richardson. The Union—A well imposed form: though a slight squabble in one of the pages prevents its present lifting, yet when well locked up by the Federal mallet and hickory shooting-stick, it will safely go to press.

By James Nutting. The United States—A regular form of twenty-fours, which having reached its 55th edition, one of the pages, by the bungling of unworthy workmen, has become defaced—and now only requires to be corrected and again put in register.

By a Member. Matrimony—It binds him that enters into it—may he always be able to justify matters.

By J. J. Haswell. The advancement of our Library—May the donations of our friends and members render it worthy of a society of Printers.

By Charles J. Roney. Commodore Barney—The

Naval Hero of two wars—His early and *bold display of American cannon* has registered his fame among the pride of his country.

By Thos. Collins. The United States Military Academy—A National foundry, where *capital specimens* are moulded for heads of columns and divisions of the army.

By Wm. Bonsall. South Carolina—A *squabbled page* in a form of *of twenty-four's*. It will require considerable care and judgment to amend it without *wetting*.

By E. Barrington. The Daily Press—Various as the colours of the rainbow; Are they a *token* of peace and good will to man?

By G. D. Haswell. Pennsylvania—The stranger's home of generous hospitality.

By Alex. H. Hays. Woman—The *nonpareil* of creation's *font case*.

Our Host—Himself an *index* to the *fat* and *pie* he distributes so plentifully.

PHILADELPHIA EXCHANGE.

Extract from the report of the Board of Managers, to the Stockholders of the Philadelphia Exchange Company, at their annual meeting, Dec. 6, 1832.

"Twelve months ago the site on which this beautiful structure stands, comprising an era of fifteen thousand feet or more, was encumbered by an uncouth mass of buildings angular, unsightly, mishapen, a proverbial deformity in our symmetrical city. Since then, the incubus has been removed, 700,000 bricks forming the huge chaotic mound, have been displaced, individually handled, and now form a portion of our substructure. The very cleansing of the soil, from this foul rubbish, cost no less a sum than \$3000. About the 10th of March, (barely nine months ago,) our masons commenced these substantial foundations, and behold in that short period 22,000 perches of stone, and 900,000 bricks have been laid, besides thousands of cubic feet of marble then in the quarry, hewn and fitted to give brilliance and beauty to our edifice for untold ages.

All our contracts, even to the roofing copper, have been made. Of 28,000 cubic feet of marble, (the whole quantity required,) 12,000 feet and upwards have been delivered. Two hundred and fifty thousand bricks more will be all that we need. In the mean time, the season of the year has arrived, when it is proper to suspend the prosecution of our masonry, but have already attained the full altitude of our second story—the lintels are over our windows.

Nor do we allow the winter to stop our progress—materials are in the hands of our workmen, the preparation of which, for their respective positions, will be complete by the opening of the spring, and six weeks after the work is re-commenced, it will be ready for roofing, a temporary covering serving in the interim, to preserve it from injury by the weather. By extraordinary exertions, the Post Office may be located in its destined apartments in May, but it will probably be July, before the whole building is fairly under cover."

December 6, 1832.

ANNUAL RETURN

Of Marriages, Baptisms, and Burials, of the Episcopal Churches in Philadelphia, by the Sextons of said Churches, from December 25, 1831, to December 25, 1832.

CHRIST CHURCH.

Rt. Rev. William White, D. D. Rector.—Rev. John W. James, Assistant Minister.

Marriages,	25
Baptisms,	25
Burials,	53

ST. PETER'S CHURCH.

Rt. Rev. William White, D. D. Rector.—Rev. James

Abercrombie, D. D. and Rev. William H. De Lancey, D. D., Assistant Ministers.

Marriages,	24
Baptisms,	36
Burials,	34

ST. PAUL'S CHURCH.

Rev. Stephen H. Tyng, D. D. Rector.	
Marriages,	17
Baptisms,	37
Burials,	31

ST. JAMES' CHURCH.

Rt. Rev. William White, D. D. Rector.—Rev. Henry J. Morton, Assistant Minister.

Marriages,	0
Baptisms,	20
Burials,	6

ST. JOHN'S CHURCH, (N. L.)

Rev. George Boyd, Rector.

Marriages,	20
Baptisms,	15
Burials,	19

TRINITY CHURCH, (Southwark.)

Rev. William Cooper Mead, D. D. Rector.	
Marriages,	23
Baptisms,	41
Burials,	16

ST. STEPHEN'S CHURCH.

Rev. James Montgomery, D. D. Rector.	
Marriages,	13
Baptisms,	41
Burials,	13

ST. ANDREW'S CHURCH.

Rev. Gregory T. Bedell, D. D. Rector.—Rev. Channing Moore, Assistant Minister.

Marriages,	17
Baptisms,	50
Burials,	24

TOTAL FOR THE YEAR.

Marriages,	116
Baptisms,	224
Burials,	180

THE SCHUYLKILL NAVIGATION COMPANY.

Report of the President and Managers of the Schuylkill Navigation Company, to the Stockholders.—January 7, 1833.

The President and Managers, in coming before the Stockholders at their Annual Meeting, have great pleasure in being able to state, that the anticipations of their last report, respecting the year just ended, have been more than realized, and that the Company's affairs are in a condition which must be highly gratifying to all who feel an interest in their welfare.

The receipts of tolls for the year 1832 have nearly doubled those of the year 1831. The quantity of coal transported by the Navigation has increased in a still greater ratio, and as it has found a steady market, with a regular demand, there is every reason to believe, that on the recommencement of business in the spring, very little will be found remaining over, of what has been brought down.

The Board have steadily pursued the object of increasing the facilities for the trade of the Schuylkill, by additions to the works according to the plan proposed to the Stockholders, and sanctioned by them; and they have now the satisfaction to report the entire completion of the following additional works, referred to in former Reports as being in progress, viz:

The Weigh Lock at Kernville. This has been of essential service to the Coal Trade on Little Schuylkill, which has commenced with great spirit, and promises a

rapid increase, so as to add considerably to our income in the year which has commenced.

Three Locks at Flat Rock.

Three Locks at Laurel Hill, on the Girard Canal.

Five Locks at the outlet of the Duncan Canal.

Four Locks at Althouse's, on the Hamburg Canal.

Four Locks at Mohr's, on the Hamburg Canal.

Five Locks at Garber's, on the Hamburg Canal.

Four Locks at the Mountain Dam.

Four Locks at Waterloo, three miles below Mount Carbon.

One Lock at the second Dam below Mount Carbon.

The new works near Reading, under the superintendence and management of George Duncan, are in a state of forwardness quite equal to our expectations, and are of a very substantial character. They consist of three Dams, eight Locks, and a Canal one mile in length. It is expected the whole will be ready to go into operation early in April next.

The reservoir at Tumbling Run is in rapid progress. It is already so far advanced, as to be capable of being partially available at the present moment, and will, no doubt, be completed in time to enable us to take advantage of the abundance of the water in the Spring, to provide a store for use, in case the next season should prove to be a very dry one. The Board, however, are happy to have it in their power to say, from the experience of the last summer, that notwithstanding the very great increase of the trade, and although the season was one of more than ordinary drought, yet, owing to the increased solidity and tightness of the works, no inconvenience was experienced for want of water.

Besides the works already enumerated, the following are in progress, and may be expected to be completed during the ensuing summer, to wit.

One Lock at Fair Mount.

Two Locks at Plymouth.

Two Locks at the Oaks Canal.

One Lock at Shoemaker's, on the Hamburg Canal.

Two Locks at the Tunnel.

There are also two Locks nearly completed at Norristown, which will be ready to open with the Navigation in the Spring.

To finish these works and commence the preparation for others which are necessary to complete the Navigation, and will probably be begun during the year, it will be requisite to effect another Loan, under the authority of the Stockholders. An estimate for that purpose is herewith submitted.

The Loan authorized by the Stockholders on the 2d January 1832, has been raised on favourable terms, as follows.

\$150,000 at 5 per cent interest, and a premium of \$1 62-100 per cent.

\$50,000 at 5 per cent interest, and a premium of 5½ per cent.

Besides the other facilities to the trade, it is the intention of the Board to cause Argand Lamps to be fixed at the different sets of Locks, and to appoint additional Locktenders, so that Boats may have the opportunity of passing by night as well as by day. It is now manifest that the pressure of the trade will demand all these aids. By means of the additional accommodation afforded, boats will be enabled to make their passage in much less time, and consequently at a diminished expense; and by thus reducing the cost of bringing produce, particularly coal, to market, the preference the Schuylkill coal already possesses, will be sure to be at least maintained.

When the Cholera made its appearance in this city last summer, apprehensions were felt lest it should extensively effect the boatmen on the Navigation. A few cases actually occurred among them, and a general alarm was spread, which seemed to threaten a suspension of the trade. The Board, in obedience to the sugges-

tions of humanity, as well as of interest, promptly provided suitable medicines, and sent them to the Lockkeepers along the line, with directions for their use, prepared by a physician of experience. They also engaged the services of a medical gentleman of skill, who, in several cases, was successful in administering relief. By these means confidence was restored, and the trade was very little affected.

A difference of opinion has unfortunately occurred between the City and Company, in relation to the terms of an agreement made the 14th June 1824, the merits of which the Stockholders will find fully disclosed in the accompanying statement and opinion of counsel.

While the Board seriously deplore what they cannot but consider the mistaken view of the city on this subject, they are so well assured of the ground on which the rights of the Company stand, that they have felt they would not be justified in suspending the work commenced at Fair Mount, of erecting a new lock and the necessary buildings to accommodate the officers of the Company employed at that point. It is intended to do the work in a neat and substantial manner, not unworthy of its position in the neighborhood of the very handsome buildings of the City Water Works on the opposite bank of the river.

The quantity of coal shipped from Port Carbon, Mount Carbon, Schuylkill Haven and Port Clinton, including 611 tons from the Union Canal, allowing five per cent for waste, was

Tons 209,271

Of which there were delivered at places between the above mentioned ports and Philadelphia,

13,429

Leaving for Philadelphia and for shipping, 195,842

The amount of toll on coal, was \$199,784 00

And on merchandize, other than coal, 65,045 70

Making the total receipts for tolls in 1832 \$264,829 70

Of these tolls, the ascending navigation produced \$46,611 70

And the descending ditto 218,218 00

The whole tonnage conveyed on the Canal in 1832 amounted to Tons 327,921

Of which the ascending trade has credit for Tons 41,893

And the descending ditto 286,028

Of the tolls in 1832, there proceeded from boats which entered the Union Canal \$12,658 61

And from boats coming from the same 12,177 88

Making together \$24,836 49

Circumstances which are not likely to occur again, prevented the receipt of as much toll from this source in 1832 as was received in 1831. But from the near approach of the state works to completion, we have reason to expect a great increase in 1833. This, added to the probable augmentation in the supply of coal, affords a good ground for the most favourable general anticipations as to the income of the present year.

In their last report, the Board presented a view of the increased demand for coal, showing the advance in 1831 beyond the next preceding year to have been 111,309 tons, to which ought to have been added 11,000 tons, estimated to have remained on hand from the Lackawana, the whole of which was consumed before the commencement of the season in 1832, so that at the opening of the trade there was a very eager demand.

The following statement will show the continued increase of consumption.

There was shipped from the mines on the Schuylkill	Tons	209,271
Ditto on the Lehigh		80,000
Ditto on the Lackawana		84,600

Making together Tons 373,871
The whole of this, it is believed, will be wanted before the commencement of the next season.

The total consumption in 1831 was 226,511
To which add the above mentioned 11,000

Making in all Tons 237,511
Which being deducted from the quantity above stated, shows an increase in 1832 of Tons 136,360

Should the same increase take place in 1833, (of which there is no reason to doubt,) the quantity required will be above 500,000 tons, and if the same relative proportions of supply continue to exist, the Schuylkill must furnish near 300,000 tons.

The amount of rents received in 1832 from real estate, from ground rents and water rents, was \$15,911 39
And the arrears of rent amount to 3,031 00

The income from rents in 1833 is estimated at \$16,673

A comparative view of the business of the Company, since its formation, will, no doubt, be satisfactory to the Stockholders, and interesting for other purposes. The following table is therefore submitted.

Years.	Tons. of Coal.	Total Rents.	Total Toll.	Toll on Coal.	Toll on other articles.	Of which ascending tolls.
1815—	No receipts in these years.					
1818	15 00	233 00				2,412 00
1819	60 00	1,202 16				10,139 90
1820	325 03	803 07				15,284 47
1821	426 38	1,792 60				23,170 00
1822	927 83	1,054 97				40,969 56
1823	1,438 52	1,964 38				27,853 00
1824	3,127 18	635 00				43,007 00
1825	4,709 28	15,775 74		9,700 00	6,075 74	60,973 95
1826	16,767	6,371 69		25,147 00	18,961 87	62,934 59
1827	31,360	5,469 90		33,317 00	24,832 74	55,234 32
1828	47,284	7,618 94		46,202 00	40,969 56	65,045 70
1829	79,973	10,573 95		77,032 00	63,007 00	
1830	89,984	9,433 47		87,192 00	60,973 95	
1831	81,854	16,035 59		78,781 60	55,234 32	
1832	209,271	15,911 39		199,784 00	65,045 70	

No. 2, is an account of the various articles which ascended the Navigation.

No. 3, shows the amount of the different articles which descended the river.

The prosperous state of the Company's affairs, which they have thus endeavoured to exhibit, enabled the Board to declare a dividend in August of five per cent, and it will be seen by the accounts, that they have it in their power to declare another of more than equal amount at the expiration of the current half year.

On this happy condition of things, and on the prospects of business for the present year, the Board have great pleasure in offering their hearty congratulations to the Stockholders, who, through many difficulties, have at length, by their persevering energy, brought this great work to a state, where, besides manifesting its capacity to be incalculably useful to the public, it is beginning to remunerate them for their large outlay.

By order of the Board

JOSEPH S. LEWIS, *President.*

Office of the Schuylkill Navigation Company,
Philadelphia, January 7, 1833.

No. 1.

Statement of the Accounts of the Company, January 1, 1833.

Capital Stock,	\$1,576,800 00
Loans,	1,133,421 60
Tolls,	264,829 70
Rents,	15,911 39
	<u>\$2,990,962 69</u>

CR.

General charges, being cost of the works, including Real Estate and Damages,	\$2,670,994 22
Current Expenses, being cost of repairs, Salary to Officers, Lock-keepers' wages, &c. this year,	76,727 66
Individual accounts unsettled,	116,556 05
Interest accounts this year,	57,604 34
Dividend No. 5, made in August last,	62,928 11
Cash, balance,	6,152 21
	<u>\$2,990,962 69</u>

No. 2.

Tonnage of Articles ascending the River, 1832.

Merchandise,	9412
Fish,	2658
Salt,	3875
Plaster,	8671
Grain,	1500
Iron,	762
Bloom's Pig Iron and Castings,	634
Lime Stone,	9309
Iron Ore,	350
Bricks,	355
Porter,	74
Clay,	94
Marble and other Stone,	43
Wood,	28
Sundries,	342
	<u>38,107</u>

Passing Fair Mount Locks only.

Coal,	93
Iron,	208
Stone,	1069
Logs,	2416
	<u>3,786</u>
	<u>41,893</u>

The Board refer to the accompanying accounts as part of their report, viz.

No. 1, is a general statement of the affairs of the Company, showing the whole cost of the Improvements, the Capital Stock, the Money borrowed, the Real Estate, &c.

No. 3.

Tonnage of Articles descending the River, 1832.

Coal,	209,271
Flour,	7,349
Whiskey,	1,949
Lumber,	8,710
Grain,	4,825
Iron,	1,960
Bloom's Pig Iron and Castings,	3,611
Nails,	1,232
Limestone and Lime,	37,627
Iron Ore,	1,691
Butter, &c.	226
Leather,	218
Live Hogs,	60
Marble and other Stone,	2,343
Wood,	994
Oil,	3
Sundries,	492

282,561

Passing Fair Mount Locks only.

Lime,	97
Stone,	3,370

3,467

286,028
Extract from the Minutes of the Stockholders.

On motion of John Sergeant, Esq., the following resolution was unanimously adopted,

That a committee be appointed to cause to be manufactured, and on behalf of the Schuylkill Navigation Company, to present to each of the Managers residing in Philadelphia, who have served in that capacity for more than seven years, a piece of plate of the value of Five Hundred Dollars, in testimony of the sense entertained by the Stockholders, of their long continued, faithful, and disinterested services, in carrying on the work under circumstances often of great discouragement, and bringing it to its present prosperous condition.

The Chairman, in pursuance of a *Resolution* of the meeting, appointed John Sergeant, Esq., Gustavus Colhoun and George W. Smith, a committee to carry the above resolution into effect.

*Officers of the Schuylkill Navigation Company for 1833.*Joseph S. Lewis, *President.*

MANAGERS.

Manuel Eyre,	Henry Troth,
Jonas Preston,	Charles H. Baker,
Thomas Firth,	John Sergeant,
George W. Holstein,	John Bohlen,
Joshua Lippincott,	Edward Wilcox,
Lindzey Nicholson,	Joseph T. Mather.

Thomas Harper, *Treasurer and Secretary.*

MUNCY.—As an evidence of the growth and prosperity of our borough, we would merely mention the fact, that about twenty substantial brick and frame buildings were erected within its boundaries during the past season. In this number is included a very neat Episcopal Church, in the gothic style of architecture. We are informed too, that preparations are being made for the commencement of many additional buildings, early in the spring.—*Telegraph.*

We have been told that a company from Philadelphia are engaged on Muncy Creek, about five miles from this borough, in manufacturing Slats for Venetian Window Blinds. They have erected machinery for facilitating their operations; but whether they design to make it a permanent, or merely a temporary business, we are not informed.—*Id.*

MINE HILL AND SCHUYLKILL HAVEN RAIL ROAD COMPANY.

The President and Managers of the Mine Hill and Schuylkill Haven Rail Road Company submit the following as their Annual Report to the Stockholders.

The cost of constructing the Road as far as it was ascertained and liquidated on the 21st December 1832, amounted to \$182,783 02

Which has been raised as follows:

Subscriptions to the Capital	
Stock paid to that day,	\$68,450 00
Mortgages of the Corporate Estate of the Company, viz:	
To the Bank of the United States,	\$50,000 00

Convertible into the capital stock.	To the Miner's Bank of Pottsville,	35,000 00
	Trustees for the benefit of certain individual creditors,	29,333 00

\$182,783 02

The income of the Company for the year 1832, derived from tolls on the transportation of 63,951 6-20 tons of coal 1,469 12-20 sundries

65,420 18-20 tons net

(being an increase of tonnage over the previous year of nearly *four-fold* amount to)

\$14,802 97

From which the following items have been paid, or are to be provided for, viz:

Repairs and expenses on the road,	\$ 838 05
Salaries and incidental charges,	500 00
One year's interest on the above mentioned Mortgages,	6,859 98
Seven per cent. dividend on \$68,450,	4,791 50

\$12,989 53

Leaving a surplus of 1,813 44 of income over the expenditure for the year 1832.

The preparations which have been made or are in progress in that part of the Schuylkill Coal basin, which is dependent upon the Company's Road, are estimated to be adequate to the mining during the year 1833, of One Hundred and Eighty Thousand tons of Coal. If the demand for coal in the Market at Philadelphia, and the state of the navigation throughout the season shall prove propitious the amount to be transported on the road in 1833, may be confidently stated at a minimum of 100,000 tons:—which will yield to the Company an income of a least \$22,000.

The Superintendent reports that the road along its whole course is in good order, and fully prepared for the business of the ensuing season.

Upon the present flourishing condition of the Company and the encouraging prospect before them, the Managers offer their congratulations to the Stockholders.

Signed in behalf of the Board of Managers.

(Signed)

TIMY. CALDWELL, *President.*

On Saturday morning the 22d December, the Susquehanna was covered with floating ice, being the first discovered on its bosom this season. It continued running until Thursday morning, much obstructing the navigation. The river at present is entirely clear, but is not at a height to be in good boating order.—*Columbia pap.*

REPORT

Of the Commissioners of the Internal Improvement Fund.—Read, Dec. 7, 1832.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania.

In compliance with the provisions of the first section of the act of 1st April, 1826, and the second section of the act of 4th April, 1831, the Commissioners of the Internal Improvement Fund respectfully submit the following report:

On the 1st of December, 1831, as appears by their last report, the sum of \$789,897 11 of the loan per act of 21st March, 1831, had not then been received. This sum, together with the temporary loan authorized per act of 9th March, 1832, part of the loan per act of 30th March, 1832, the loan per act of 5th April, 1832, the legacy of the late Stephen Girard, and the amount refunded of the loan per act of 21st March, 1831, which had been applied to the payment of interest on the 1st of August, 1831, agreeably to the provisions of the second section of the act of 30th March, 1821, constitute the sum total of the funds placed in the hands of the commissioners, from the 1st of December, 1831, to the 31st October, 1832, the period which this report embraces. The receipts and payment of these funds, will appear by the following statement:

RECEIPTS.

Balance of loan, per act of 21st March, 1831,	\$789,897 16	
Part of do. refunded by the commissioners, being the sum advanced for the payment of interest on 1st August, 1831,	26,276 10	816,173 26
Temporary loan per act of 9th March, 1832,		75,000 00
Amount received of loan per act of 30th March, 1832,		1,750,000 00
Amount of loan per act of 5th April, 1832,		300,000 00
Stephen Girard's legacy, appropriated per act of 9th June, 1832,		300,000 00
		<u>\$3,241,173 26</u>

PAYMENTS.

Treasurer of the Board of Canal Commissioners,	\$2,964,953 39	
Advanced to pay interest, on 1st February, 1832, per resolution of the 30th January, 1832, out of loan per act of 21st March, 1831,	48,316 18	
Repaid temporary loan, per act of 9th March, 1832, out of loan per act of 30th March, 1832,	75,000 00	
Advanced to pay interest on 1st Aug. 1832, per act of 30th March, 1832, out of loan per said act,	135,897 16	
Advanced to pay the salaries of toll-collectors and lock-keepers, per act of 30th March, 1832,	17,006 53	
		<u>\$3,241,173 26</u>
The payments to the treasurer of the Board of Canal Commissioners, were made as follow:		
Of loan per act of 21st March, 1831,	\$741,580 98	
Amount refunded of do.	26,276 10	767,857 08
Part of loan per act of 30th March, 1832,		1,214,102 84
Amount of loan per act of 5th April, 1832,		300,000 00
Stephen Girard's legacy,		300,000 00
Amount paid for construction of canal,		<u>\$2,581,959 92</u>

Part of loan per act of 30th March, 1832,	\$307,993 47
Temporary loan per act of 9th March, 1832	<u>75,000 00</u>

Amount paid for repairs, &c. of canal,	382,993 47
	<u>\$2,964,953 39</u>

The following statement exhibits the amount of appropriations, and the manner in which they have been complied with:

Balance of the appropriation of loan per act of 21st March, 1831, \$789,897 16	
Amount refunded of do.	26,276 10
	<u>816,173 26</u>

Appropriated for construction, per act of 30th March, 1832,	1,948,680 00
Do. per act of 5th April, 1832,	300,000 00
Do. Girard's legacy, per act of 9th June, 1832,	300,000 00
	<u>3,548,680 00</u>

Appropriated for repairs, &c. per act of 30th March, 1832,	400,000 00
Total appropriations,	<u>\$3,764,853 26</u>

Amount paid to the treasurer of the Board of Canal Commissioners,	\$2,964,953 39
Advanced to pay interest on 1st February, 1832,	48,316 18
Do. do. 1st Aug. 1832	135,897 16
Advanced for the payment of the salaries of toll-collectors and lock-keepers,	17,006 53
Balance of loan per act of 30th March, 1832, yet to be received,	598,680 00
	<u>3,764,853 26</u>

The appropriation of \$400,000 for repairs, &c. per act of 30th March, 1832, was expended as follows:

Paid to the treasurer of the Board of Canal Commissioners,	382,993 47
Advanced to the fund for the payment of the salaries of toll-collectors and lock-keepers,	17,006 53
	<u>\$400,000 00</u>

The several loans which the commissioners were authorized to receive, have been applied as follows:

Balance of loan per act of 21st March, 1831, as stated in last report,	\$789,897 16
Amount of this loan refunded,	26,276 10
	<u>816,173 26</u>

Paid to the treasurer of the Board of Canal Commissioners,	\$767,857 08
Advanced to pay interest on 1st February, 1832,	48,316 18
	<u>816,173 26</u>

Amount of loan per act of 30th March, 1832,	\$2,348,680 00
Amount of do. yet to be received	\$598,680 00
Paid to the treasurer of the Board of Canal Commissioners, for construction,	1,214,102 84
Do. for repairs,	307,993 47

Repaid temporary loan, per act of 9th March, 1832,	75,000 00
Advanced to pay interest on 1st August, 1832,	135,897 16
Advanced to the fund for the payment of the salaries of toll-collectors and lock-keepers,	17,006 53
	<u>2,348,680 00</u>

The loan of \$300,000, per act of 5th April, 1832, was paid to the treasurer of the Board of Canal Commissioners, as before stated.

From the foregoing, it appears that the commissioners have yet to receive the sum of \$598,680, the balance of the loan per act of 30th March, 1832, to be applied to the construction of canals, &c. as directed by said act; and this is the only fund under their control, which can be appropriated to that purpose.

The transactions of the commissioners, relative to the fund for the payment of interest, will appear by the following statement:

RECEIPTS.	
Auction duties,	\$44,476 88
Premiums on loans,	339,063 83
Dividends on bridge, navigation and turnpike stock,	17,900 00
Collateral inheritances,	2,132 43
Escheats,	45,550 28
Canal tolls	35,193 30
Increase of county rates and levies,	110 00
Tax on personal property,	18 00
Canal fines	
Amount received to pay interest on 1st Feb. 1832,	48,316 18
Amount taken from the state treasury, per act of 22d April, 1829,	93,329 20
Amount received to pay interest on the 1st of August, 1832,	135,897 16
Balance in fund, on 1st December, 1831,	94,354 78
	<u>\$866,483 45</u>

PAYMENTS.	
Interest on loan of 1826,	15,000 00
" " 1827,	50,000 00
" March, 1828,	100,000 00
" Dec. 1828,	39,950 00
" April, 1829,	110,000 00
" Dec. 1829,	10,125 00
" March, 1830,	200,000 00
" March 21, 1831,	96,932 69
" March 30, 1831,	13,985 10
" March 30, 1832,	5,145 53
Interest on temporary loan, per act of 9th March, 1832,	1,332 19
Repaid to the fund for the construction of canal, &c. the amount advanced for the payment of interest on 1st Aug. 1831,	26,276 10
Amount applied to the payment of the salaries of toll-collectors and lock-keepers, under resolution of 5th Jan. 1832,	5,225 24
Balance in fund, 1st Nov. 1832,	192,511 60
	<u>\$866,483 45</u>

On the 1st of December, 1831, the commissioners had a balance of \$968 23 on hand, for the payment of the salaries of toll-collectors and lock-keepers. By a resolution of the 5th January, 1832, they were authorized to pay the salaries due on the 1st of that month, out of the moneys received for canal tolls, which amounted to the sum of \$5,225 24. A resolution of the legislature of 10th April, 1832, directed that the

commissioners should pay the salaries which were due on the 1st of that month, out of any moneys in their hands for the payment of interest, to be repaid out of the appropriation per act of 30th March, 1832. In compliance with the provisions of this resolution, the commissioners appropriated the sum of \$17,006 53, to the re-payment of the interest fund, and the payment of the salaries due on the 1st of October, 1832; after which, a balance of \$1,121 50, remains on hand, as appears by the following statement:

Balance on hand 1st Dec. 1831,	\$968 23
Advanced out of the interest, prior to 1st April, 1832,	5,225 24
Advanced out of the loan, per act of 30th March, 1832,	17,006 53
	<u>23,200 00</u>
Amount paid to collectors of toll and lock-keepers, from 1st December, 1831, to 31st October, 1832,	22,078 50
Balance on hand, 1st Nov. 1832,	<u>\$1,121 50</u>

This balance will not be sufficient to pay the salaries due on the 1st of January next, which will probably amount to the sum of \$7,000. The commissioners would therefore recommend, that some provision for their payment should be made prior to that time: And they would further recommend, that some permanent fund be created for this purpose, or that a uniform mode of payment be established, in order to avoid the uncertainty and difficulty which have heretofore existed.

The commissioners have formed an estimate of the probable condition of the State Treasury on the first of February and first of August next, for the purpose of ascertaining whether any deficiency might occur in the interest fund, at either of those periods. In this calculation, canal tolls, for the fiscal year, are estimated at \$200,000, of which \$20,000 are supposed to be received prior to the 1st of February; \$100,000 between that time and the 1st of August, and the balance of \$80,000, before the expiration of the year. This estimate is presumed to be as nearly correct as circumstances will admit of, unless some extraordinary accidents should happen to the canal, the extent of which, should they occur, no ingenuity can calculate. From this estimate, it would appear that no deficiency will probably exist in the interest fund for the year 1833, even calculating on the repayment of \$135,897 16, the amount advanced for the payment of interest on the 1st of August last, which is to be repaid as required by the act of 11th June, 1832. To guard, however, against a failure in the estimated receipt of canal tolls, it would be advisable to authorize the commissioners to apply any moneys in their hands, to make up the deficiency that might occur in the interest fund, either on the 1st February or 1st of August.

The following is the estimate:	
Balance in the State Treasury on 1st November, 1833,	\$117,167 16
Add probable excess of revenue over expenditures for November and December, 1832, and January, 1833,	495,178 32
	<u>Estimated balance in the Treasury, on 31st January, 1833,</u>
Interest on canal loans, payable on 1st February, 1833, estimated,	\$612,345 48
	<u>\$376,344 42</u>

To meet this payment, take the balance in the fund on 1st November, 1832, 192,511 60

Take out of the State Treasury, including pledged revenue,	183,832 82	
		376,344 42
Amount to be taken out of the state treasury, as above,	183,832 82	
		428,512 66
Deduct interest payable at the state treasury, on the loans of 1821, 1824, 1825, and loans from certain banks, per act of 1st April, 1826,	45,862 50	
Estimated balance in the treasury, on 1st February, 1833,	382,650 16	
Add probable excess of revenue over expenditures for February, March, April, May, June and July, 1833,	262,358 27	
Estimated balance in the treasury, on 31st July, 1833,	645,008 43	
Amount to be refunded, being the sum advanced for the payment of interest on 1st August, 1832,	\$135,897 16	
Interest on canal loans payable on the 1st of August, 1833, estimated	396,905 70	
		532,802 86
To meet these payments take out of the treasury, including pledged revenue	532,802 86	
		532,802 86
		112,205 57
Deduct interest payable at the treasury, as above	45,862 50	
Estimated balance in the treasury on 1st August, 1833,	\$66,343 07	

This estimate makes no provision for the payment of interest on loans that may be authorized during the present session of the legislature, as in all probability, the premiums will not pay the interest, but contribute to enlarge the estimated balance in the treasury on the 1st August, 1833.

All of which is respectfully submitted.

SAMUEL M'KEAN,
DANIEL STURGEON,
A. MAHON.

Commissioners of the Internal Improvement fund.
Harrisburg, December 6th, 1832.

We have been politely favoured with the following list of arrivals at this Port for the last eleven years.—
Pennsylvanian.

PORT OF PHILADELPHIA—ARRIVALS.

Years.	Foreign.	Coastwise.	Total.
1822	494	1212	1706
1823	482	1018	1500
1824	501	981	1482
1825	484	1195	1679
1826	482	1195	1677
1827	469	1320	1789
1828	450	1847	2297
1829	374	2210	2584
1830	415	3287	3702
1831	396	2362	3658
1832	428	2849	3277

To the same obliging friend, we are indebted for a

statement of the New Tonnage, built in the Port of Philadelphia, during the last four years.

		Tons.
Built in 1829	2 Ships	723.71
Do	8 Brigs	1486.46
Do	5 Schooners	390.90
Do	9 Sloops	281.83
Do	2 Steamers	641.51
		3524.56-95
Built in 1830	2 Ships	553.68
Do	3 Brigs	579.63
Do	8 Schooners	486.63
Do	14 Sloops	361.56
Do	3 Steamers	608.51
		2590.16-95
Built in 1831	5 Ships	1936.79
Do	4 Brigs	859.20
Do	7 Schooners	392.39
Do	10 Sloops	336.23
		3525.81-95
Built in 1832	4 Ships	1733.42
Do	2 Brigs	300.46
Do	6 Schooners	482.71
Do	11 Sloops	516.85
Do	1 Steamer	125.48
		3159.7-95

NEW TONNAGE—1832.

Ship Hope	407.22
Morrison	565.82
Commerce	439.82
Virginia	320.46
Brig J. L. Hudgins	180.31
Henrietta	120.15
Schooner Ceres	137.78
W. V. Coulter	127.17
Caroline	41.48
Henry	63.46
Maria	23.74
Elizabeth & Rebecca	88.93
Steamer Gen. Lincoln	125.48
Eleven Sloops	516.85

Total new tonnage 3159.7-95

ARRIVALS.

Foreign	428
Coastwise	2849
Total,	3277

ORPHAN SOCIETY.

The Eighteenth Anniversary Meeting of the Orphan Society was held on the 1st January, 1833—the Rev. Mr. TROG gave an appropriate address, and read the following report:

The New Year is ever hailed as a season of rejoicing—it is the era from which we look back on the past with an eye of scrutiny, and forward with an eye of hope; should we be so happy as to find a record of duties faithfully performed, we may blend with our gratitude to Almighty God, for benefits received, the conscious satisfaction of having been mindful of his word—if we are aware of having neglected our opportunities of well-doing, the period of restitution opens encouragingly on us at the New Year.

The managers of the Orphan Society in placing before their patrons their annual report, have again to recount the obligations they have piteously received, and carefully disbursed for the benefit of the infant charge committed to their care—and in the retrospection of dangers and anxieties have still to speak of superintending mercy and happy results.

During the prevalence of the Cholera in the city, the asylum was visited by that dreadful pestilence; provision had previously been made; the Chapel was converted into an Infirmary; nurses were engaged, and by the advice of our judicious physicians, no more chil-

dren were admitted. Ten cases occurred in the family, three adults and seven children, all of whom recovered. Dr. Otto, at that period the attending physician, with the tenderness of a father, added to the benevolence and skill which make him an honour to his profession, devoted his services to the Orphan sufferers—at all hours his ready aid was given, and He in whose hands are the issues of life and death, crowned his labours with success. In order that no unfortunate child, made orphan by the raging scourge, should suffer by the suspension of admittances into the Asylum, lodgings were provided by order of the board, to receive applicants until it should be deemed safe to increase the family, but a wider scheme of benevolence was suggested, and executed by our compassionate ladies, who by the consent of the city authorities opened a temporary asylum in Library street, to protect all children left destitute by the illness or death of their parents, from which, when health was re-established, several orphans were transferred to this institution.

Except in the cases cited, the family have enjoyed a general state of good health, until recently, the whooping cough has been introduced among the younger children, which occasions the absence of a large portion of the family from this meeting. There are ninety-nine orphans in the family, nineteen have been admitted, twenty bound out, and two have died. The expenditure for this year will be found larger than usual—extensive repairs became necessary, for which a considerable sum is still due, and a larger family have been supported.

Some calls have been made on "the Orphans' fund," one for a youth in whose fate the board have been deeply interested: he was bound to a mechanic in the country, had served out his apprenticeship creditably, and came back to reside in town, but finding himself deficient in some of the niceties of his craft, which distinguishes the city work, from what he had been taught, applied for a loan to enable him to procure a few months further instruction; he left his lodgings, apparently well, one morning when the Cholera was making fatal ravages, and has never since been heard of: it is supposed he must have fallen among the victims—all inquiries to ascertain his fate have been fruitless.

The board have one more passage to look back on with regret, the departure of a member, whose life was devoted to works of charity—charity, the most comprehensive and endearing, to which her gentle heart and liberal spirit gave the most useful direction.

Long will the memory of Mrs. Hodge, be cherished with affection and respect.

To you, patrons, and fellow citizens, the prosperity of this Institution is entrusted. Let not the hopes which brighten on the New Year, (when every heart is full of hope—every eye seeking favor) be cast down. In this house the voice of supplication, and of thanksgiving has been already addressed to the throne of grace—in the spirit of holy charity, make ye the Orphans' "Year commence with benediction."

ANNUAL REPORT

From Jan. 1st 1832, to Jan. 1st, 1833.

The Orphan Society of Philadelphia, in account with the Treasurer:—

DR.

To cash paid Purchasing Committee, and expended by them in support- the Asylum,	\$4,050 00
To do Repairs to Real Estate,	157 41
To do Water Rents and Taxes,	137 40
To do Purchase of Stock,	27,488 94
To do Freedom Fees, deducted from Orphans' Fund,	60 00
To do Incidental Expenses,	16 18
To do Trust Money in Saving Bank,	36 00
Balance in the Treasury,	430 07

\$32,376 00

CR.

By balance from last year,	\$122 03
By cash Annual Subscriptions,	348 00
By do Donations,	11 00
By do Dividends on Stocks,	2,599 88
By do Rent of Wills' House,	650 00
By do Ground Rents,	12 47
By do Charity Box and Collections,	51 83
By do Net proceeds of the Sale of Chil- dren's Work,	164 51
By do Legacies,	10,611 09
By do Sale of Stock,	17,738 94
By do Binding Fees from Mr. Christian,	20 00
By do Fines on Managers,	1 25
By do Sale of articles at Asylum,	9 00
By do Trusts for Orphans,	36 00
	<hr/> \$32,376 00

From the Philadelphia Gazette.

PROCEEDINGS OF COUNCILS.

Thursday Evening, Jan. 10, 1833.

SELECT COUNCIL.—The following communication from the Mayor was received, and was referred to the Directors of the Girard Estate.

To the President and Members of the Select Council.

Gentlemen, the executors of the late Stephen Girard, propose to pay over to the corporation the sum of fourteen hundred and five thousand nine hundred and eighty-five dollars, part of the personal property bequeathed to the city, by the Testator; before doing which, however, they require from the city a refunding bond,—upon which matter, and the course to be pursued, I beg to be advised by Council.

I have the honor to be, very respectfully, gentlemen, your most ob't serv't.

JNO. SWIFT, Mayor.

Philadelphia, Jan. 10, 1833.

Treasurer's Office of the Girard Trust, }
January 10th, 1833. }

The following communication from the Treasurer of the Girard Fund was received.

To the President and the Members of the Select and Common Councils.

Gentlemen—I herewith enclose a note addressed to me, by W. J. Duane, Esq. one of the executors of the estate of Stephen Girard, requiring refunding bonds, previous to paying over at this office, the funds that are now at their disposal, and respectfully suggest to Councils, the necessity of passing a resolution, authorizing the Mayor, and the Treasurer of the Girard Trust, to execute the required bonds, as I understand such an arrangement will be satisfactory to the executors.

Your very ob't serv't,

BRITAIN COOPER,

Treasurer of the Girard Trust.

Mr. Eyre offered the following resolution which was adopted.

Resolved, That the Mayor of the city be authorized and requested to execute a refunding bond in the name of the Mayor, Aldermen, and Citizens, to the executors of Stephen Girard, deceased, on receipt by the Corporation of the sum of \$1,405,985, part of the personal property bequeathed by him to the city; and that the Treasurer of the Girard Trust be authorized and requested to unite in the said bond.

Resolved, that the sureties offered to the said executors, be the Mayor of the City and the Treasurer of the Girard Trust in their official capacity.

Mr. Lippincott offered the annexed resolution which was agreed to.

Resolved, That the Presidents of the Select and Common Councils, are hereby requested to forward to the

Speaker of the Senate and House of Representatives of the Commonwealth of Pennsylvania, the detailed statement of the Girard Trusts, furnished by the Treasurer thereof, in compliance with the XXIV section of the will of Stephen Girard, deceased.

Mr. Lippincott offered the following resolution which was agreed to.

Resolved, By the Select and Common Councils, that the Mayor be, and is hereby authorized to draw his warrant on the City Treasurer in favour of the Chairman of the Gas Committee, for three hundred and twenty-one dollars and eighty-three cents, the amount of their expenses to Baltimore, New York, and Boston, in performance of their duties as per resolution of November, 22d, 1832:—and also, for the sum of \$50, for the payment of the expenses of procuring a Chart of the City.

Mr. Lewis called up for consideration the Ordinance for the Girard Trusts, which was agreed to and passed; the Common Council concurring in the amendments.

Mr. Groves called up for consideration the Ordinance, relative to the Rail-road along Broad street, which was agreed to, and passed.

The Select Council adjourned, to meet again on Thursday evening next.

COMMON COUNCIL.—Mr. Lapsley as chairman of the committee on Markets, made the following report, resolution and ordinance, which were laid on the table.

The committee to whom was referred the petition for the removal of the Fish Stands from Third and Market street, report,

That they have taken the subject into consideration, and can find no good reason for making a change at the present, and would therefore offer the following resolution.

Resolved, That it is inexpedient to grant the prayer of the petitioners.

The committee are of opinion that for the accommodation of the western part of the city, another stand should be established at the corner of Eighth street, and with this view, would submit the following ordinance.

Be it ordained and enacted by the Select and Common Council, That from and after the 1st of February next, 16 feet in length west of Market, No. 8, be assigned as stands for carriages having Sea Fish for sale, and to be regulated in the same manner as the fish stands at the corners of Third and Sixth streets. From and after the 1st February next, any ordinance as is hereby altered, so far as relates to the space of 16 feet thus appropriated, be and the same is hereby repealed.

Mr. Yarnall as chairman of the committee, made the annexed report and resolution, which were adopted.

The joint committee appointed last month to distribute the wood provided by Councils for the necessitous poor, report,

That they have attended to the subject, and distributed the wood to 292 individuals.—Former committees having caused it to be hauled and sawed at the expense of the fund, the present committee have not thought it expedient to deviate from the custom, the charge for which, including superintendence, amounting to \$128 73, not being yet paid, the committee respectfully ask for the passage of the following resolution.

Resolved, That the Mayor be authorized to draw his warrant on the Treasurer, in favor of John Jones, for one hundred and twenty-eight dollars and seventy-three cents, being the amount of expenses incurred by the committee appointed "to attend to the distribution of wood to the necessitous poor," and charge the same to the fund for supplying the necessitous poor with fuel.

Mr. Morris offered the following resolution, which was agreed to.

Resolved, That it shall be the duty of the Clerks of Councils, to copy into a book to be kept for this purpose alone, all Ordinances passed by Councils since the first day of December last past, and all Ordinances to be hereafter passed, which said copies shall be signed by the Presidents, and attested by the Clerks of Councils,

and the said book shall be under the charge of the Clerks of Councils.

Mr. Merrick called up for consideration, the resolution attached to the report of the committee for subscribing to the West Philadelphia Canal Company, which was agreed to, and passed as follows.

Resolved, by the Select and Common Councils, That the Mayor be, and he is hereby authorized to subscribe five thousand dollars to the stock of the West Philadelphia Canal Company, to be paid when the requisite amount, say \$40,000, shall be subscribed, and 50 per cent. actually paid in, provided, that the plan of the said canal be so altered that the piers when erected on the margin of the river at the termination of the canal, shall not project further eastward than the abutment of the Permanent Bridge.

Provided, also, that basins or docks may be made on the City property north of the Bridge connecting with the canal, which may be deemed advisable by the City Councils; and also reserving the right of using both sides of the canal bank for landing, when not obstructing the navigation.

The two chambers of Councils have elected, for Directors of Public Schools—

Thomas Dunlap, John Steele, T. G. Hollingsworth, G. M. Wharton, W. Wharton, W. W. Fisher, C. Barrington, jr. Robert Hare, P. Serrell, J. B. Lancaster, Edw. Yarnall, Archibald Randall, J. Carstairs, W. Stavelly, Joseph Patterson, Richard Price, C. E. Cathrall, J. H. Campbell, Stev. Smith, S. Bispham, Ab. Ritter, Lewis Ryan, J. J. Barclay, W. E. Lehman, S. N. Gray, J. Myers, L. P. Gebhard, Thomas Adams, George Handy, A. H. Reiley, Thomas Barnes, R. H. Small, W. B. Guier, H. M. Zollkoffer, Nathaniel Burt, G. Thomas.

City Treasurer—Cornelius Stevenson. Mr. Stevenson received a unanimous vote.

Treasurer of Girard Trust—Britain Cooper. Mr. Cooper received 24 out of 27 votes.

Agent of the Girard Trust—Charles Johnson.

The treasurer of the Girard Trust presented to Councils a statement of the amount of personal property paid to him on the 12th by the executors of the late Stephen Girard. The par value was \$1,123,593 67. The present worth is \$1,406,870.

A singular and unfortunate accident happened yesterday, on the New Castle and Frenchtown rail-road. In the line proceeding to Baltimore, a spark from the locomotive fell upon the baggage-car, and set fire to a lady's band-box, and in a short time, from the rapidity of the motion and force of the current of wind, the whole car was in combustion. Much baggage was destroyed, some valuable jewellery damaged, and injury done to a large amount of bank notes going to Baltimore from one of our banks. We are sorry to learn, in addition, that Mr. Binney and Mr. Sergeant, our eminent townsmen, who were among the passengers, suffered the loss of the clothing in their trunks, and have been obliged to return. Their papers were rescued. No steam-boat was found at Frenchtown, owing, no doubt, to the ice in the rivers. If coke should be employed in the American locomotives, no danger of accidents of this nature would remain. It is used universally on the British rail-roads.—*Nat. Gaz.*

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For the Register of Pennsylvania.

EDUCATION IN PENNSYLVANIA AND NEW YORK.

By W. R. JOHNSON.

1.—Recapitulation of enactments by the government of Pennsylvania on the subject of Education.

It appears from the tabular view already published,* that the number of our public acts in regard to this subject, amounts to *two hundred and twenty*.

No one could complain of a paucity of laws with such a mass of acts before him. But the character of the laws will strike every one, accustomed to a legislation which is based upon principle, and not upon individual interest and solicitation—as far remote from a general comprehension of the subject;—and the laws as partial and local in their object, limited in their application, to a few classes of the community, and still more limited in the means of furnishing to the *people at large* the opportunity and the inducement to become universally intelligent. The state has in fact no general system of education.

The whole amount of appropriations in money or in other interests equivalent to money, bestowed chiefly on corporate bodies including Universities, Colleges and Academies, is *two hundred and ninety-seven thousand one hundred and sixteen dollars*. In several instances the money appropriated to Colleges and Academies, was not taken directly from the state treasury, but was drawn from the people, in the form of ventures in certain lottery schemes, authorized by the legislature. But the cause of learning can scarcely have *gained* so much, as the interests of morality must have *lost* by this species of indirect taxation. The number of acres of land applied in aid of corporations, exclusive of numerous "lots" and "tracts" the amount of which is not expressly stated,—is *fifty-seven thousand nine hundred and twenty-three*.

It is probable that some of the grants both of lands and other interests may have been less available than their nominal value would indicate.

The institutions created, endowed, or remodelled by these laws consist principally of *two universities, eight colleges, and fifty-five academics*.†

Twenty-three of the laws above referred to, have been made in reference either to the education of the poor as a distinct class, or to the foundation of a general

system of common schools, without, however, effecting the latter object.

In order apparently to comply with the words of the constitution, and to render less obnoxious the devotion of all the public means of the state to institutions of which the rich only could avail themselves, many of the academics and a few of the colleges are required to educate for a limited time certain numbers of poor children. The number of children thus provided for *throughout the state*, has been about two hundred. It would be an object of curiosity to determine how many have actually taken advantage of the provision.

By reference to a table of expenses of the legislative department of our state from 1791 to 1829, inclusive, found in the fifth volume of the Register of Pennsylvania, pages 205—6, it will be seen that the average expense of enacting a law by our legislature, is *five hundred and forty dollars and twenty cents*.

Now the number of laws enacted in regard to education since the adoption of the present constitution in 1790, is 186. Hence their *prime cost*, (consisting chiefly in the pay and mileage of members of Assembly,) must have been *one hundred thousand, four hundred and seventy-seven dollars*. This is for a period of forty-two years.

It may be a question whether the people at large, are much better educated now than they would have been, if left entirely to private exertions, and if none of these laws had been enacted. The sum of 100,477 dollars for 42 years, is at the rate of 2,392 31 per annum. If then instead of legislating *at all* on the subject, the last mentioned sum had been put at interest in the manner of annual deposits at 5 per cent compound interest, it would at the beginning of 1833, have amounted to 339,700 dollars. This, with 227,030 dollars which have been voted away during the same period, and with the lands bestowed on corporate bodies, would have constituted no trifling fund for the support of "schools throughout the state" as required by the constitution. Indeed if we take the amount of our supposed annual deposits and their interest—say,

\$339,700	
With the whole sum of money appropriated,	297,116
And the price of all the lands bestowed, at \$1	
per acre,	57,923

We shall have the gross amount equal to \$693,739, a sum with which the most enthusiastic advocate of school funds and a school system, would be very well content now to commence operations.

It appears that the greatest number of laws passed in regard to any one institution, have been made in favour

* See pages 1 and 17 of the present volume of the Register.

† See page 64 of present number.

of Dickinson College. The laws respecting that college, amounting to *fourteen*, will be found at numbers 10, 14, 23, 27, 29, 35, 37, 49, 62, 117, 119, 144, 152 and 171 of the table above referred to, granting the sum of \$51,800, besides 10,000 acres and some "lots" of land. These with the cost of fourteen laws, make, estimating the land as above at one dollar per acre, \$69,362 80. This college is now entirely suspended, and the same is true of one or two other large recipients of the state's gratuities.

The laws relating to the University of Pennsylvania, will be found at numbers 8, 13, 25, 34, 68 and 221, and the whole amount of moneys appropriated to it is \$69,666 2/3 besides the exemption in 1832 of its real estate from taxation for fifteen years. Its whole property in 1830 as reported to the legislature, was 195,000 dollars, and its annual income 15,290. The real estate was 167,059 dollars.

The annual income of academies is generally limited to about 4000, and that of colleges to 15,000 dollars.

It will be observed that a strict vigilance has all along characterized our legislature to prevent religious intolerance from interfering in the affairs of education. Many acts of incorporation besides those which allusion is made to that subject in the table, have provided that no one's right to teach or be taught, should be in the least infringed or affected by his religious sentiments.

2.—New York System.

Though not the first among the states of the confederacy to introduce the system of universal education, New York may, with some truth, be said to have surpassed all the other states, in the liberality, as well as the sound policy of her provisions for its maintenance. She has happily taken the due mean between relying wholly upon taxation on the one hand, and upon accumulated funds on the other, for the support of schools throughout her community. She has avoided the error of applying all her legislation to a single class of institutions; thus showing a spirit above the petty jealousy that would annihilate the higher, and a sense and patriotism that imperatively forbade her to neglect the lower seminaries of learning. We do not find colleges and universities multiplied till one actually devours another, while the mass of the community is without even the ordinary rudiment of knowledge; nor do we perceive, on the contrary, the avenues to classical attainments so hedged about by the expensiveness, the useless requisitions and the forbidding ceremonialism which might appal the youth whose *treasures were only of the mind*, from attempting to gain the station in society for which his natural endowments had qualified him.

There does not appear any ostentatious display of extravagance in her expenditures for education,—nor any of that niggardly parsimony which would compel the people to buy a cheap commodity of learning, sure at the same time that it must be a *poor* one.

She has not hesitated, while prosecuting the most magnificent schemes for improving the value of her physical resources, to devise and execute plans far more magnificent for the development of her intellectual treasures. It has not been the spirit of her measures to consign a whole generation *now existing* to brutish ignorance, in order that the *next* might riot on its earnings, and sink in the same manner into oblivion, without having been provided with means of any rational enlargement of the most ennobling faculties. She has not been terrified by the fear that the coming age, which is to be the heir of her noble heritage of knowledge, freedom

and moral power, should be compelled to pay out of its immense resources, a few of the millions by which that heritage was originally obtained. She has perceived it to be sound policy to incur a *debt*, when the transaction is sure to multiply a hundred fold the power of repaying it. The system of internal improvements, instead of absorbing and annihilating those very resources which are wanted to sustain public spirit and intelligence, by means of education, is, in New York, made to minister directly and effectually to that object, and thus to react in producing again the foresight and discernment which were alone requisite to understand the utility of those improvements, even before they had an existence.

Origin of the System.

The foundation of a system of common schools was laid in this state nearly forty years ago. The first act to that effect was passed April 9, 1795, appropriating out of the annual revenues of the state, twenty thousand pounds annually for five years, for the purpose of encouraging and maintaining schools in the several cities and towns in the state. The several counties were required to raise a sum equal to one half of that appropriated to each by the state. At the expiration of this law in 1800, the legislature refused to renew it; but in 1805, impelled, probably, by a sense of the deprivation under which the state laboured, in being again thrown back upon voluntary individual or local efforts, the legislature passed an act, providing that the net proceeds of five hundred thousand acres of vacant and unappropriated public lands should be applied to form a permanent fund for the support of common schools. In the same year, three thousand shares of bank stock were ordered to be subscribed by the state, and to belong to the school fund. No part of this fund was to be applied to its ultimate object, until the interest should amount to fifty thousand dollars annually.

In 1811 measures were taken to organize and establish in active force a system of schools; such a system was reported in 1812, and the first distribution of money under the provisions of 1805, and in accordance with this system, were made in the year 1816. Besides the avails of the lands and of the bank stock above-mentioned, the legislature enacted in 1819, that one half the amount to be received from *quit rents*, the *loans* of 1790 and of 1808; the *shares* of the capital stock of the merchants' bank, held by the state; the net proceeds of *lands escheating* to the state in the military tract, and the net proceeds of the *fees* of the clerks of the supreme court, should all be assigned to this fund. In 1824 a reservation in certain grants for lotteries, amounting to forty thousand dollars, was added to the fund. In 1826 it was enacted that one hundred thousand dollars should be annually distributed by the state for the support of common schools; but as the fund then produced but eighty-five thousand dollars, the remaining fifteen thousand dollars were paid from the general funds of the state. In 1827 further appropriations, to make up the full amount of one hundred thousand dollars, were made from the state loan of 1786, and from the bank stock still held by the state. These two items amounted to one hundred and thirty-three thousand six hundred and sixteen dollars.

In the same year the credit of the state was pledged in certificates of stock to a canal company (the Hudson and Delaware,) which certificates were to be sold, and the premiums obtained added to the school fund; this transaction produced fifty thousand dollars; and finally, a large number of town lots at Oswego, amounting to ninety-one thousand three hundred and forty-nine dollars, were sold in the same year, and the proceeds, together with all the sums obtained from the above-mentioned sources, swelled the productive capital at the beginning of 1828 to one million six hundred and thirty thousand eight hundred and ninety-five dollars. The constitution of the state provides that the proceeds of all lands which shall be hereafter sold or disposed of

B. A. Mitchell.

shall belong to the fund for the support of common schools. In 1830 these lands consisted of eight hundred and sixty-nine thousand, one hundred and seventy-eight acres, estimated at half a million of dollars, which, added to the productive capital, makes two millions one hundred and thirty thousand, eight hundred and twenty-five dollars. Besides the general fund of the state, there are likewise several local funds arising out of certain reserved lands in the respective counties. More than eighty towns are stated to participate in the benefit of these funds, amounting to the sum of about seventeen thousand dollars annually.

Progress of the System.

The first distribution of the public moneys out of the fund was made, as we have said in 1816, and not till then can the system be said to have gone into actual operation. An estimate may be formed of the influence of this system by comparing the state of things before the funds became available with that which has existed since. In sixteen counties in which the state of schools was reported in 1798, the number of schools was then one thousand three hundred and fifty-two, and of scholars fifty-nine thousand six hundred and sixty. In the same counties, in 1828, the number of school districts established was two thousand five hundred and eighty-six, and of scholars attending them, one hundred and forty-two thousand three hundred and seventy-two.—Even this comparison falls far short of exhibiting the

actual increase of schools and of pupils throughout the state, for in 1798 there were in all but twenty-three counties organized, and therefore only seven which did not report. But in 1828, there were fifty-five counties, divided into seven hundred and forty-two towns and wards, and eight thousand two hundred and ninety-eight school districts, containing four hundred and forty-one thousand eight hundred and fifty-six children. It is true, there are other causes besides the inherent efficacy of the system, which should be regarded in accounting for the rapid increase of schools and pupils. The new counties formed subsequently to 1798, were settled chiefly by emigrants from New England, who brought with them, as an essential part of their existence, a habit of regarding *universal education in common public schools*, as among the primary objects for which laws are to be enacted. And when the system had been once established, it is easy to see that its operations upon the mind of new companies of such emigrants, must be to determine them to select the state which had made this munificent provision for that, which they consider as one of the first wants of their nature, to be their permanent abode; in preference to another, where no such allurement was held out, whatever might otherwise be the physical superiority of the latter. Thus we see, that the system of common schools has reacted, in turn, in favour of population, and consequently in favour of wealth and of power, physical, moral and political.

A Comparative View of the Returns of Common Schools, from 1816 to 1833, inclusive.

The year in which the report was made to the legislature.	Number of towns from which the returns were made	Whole number of school districts in the said towns.	Number of school districts from which returns were received.	Amount of public monies received in said towns.	Number of child'n taught in the school districts making returns.	*Number of children bet'n 5 and 15 years of age, residing in those districts.	Proportion of child'n taught 5 and 15 years to the number of children residing bet'n the age of 5 and 15 years.
1816	338	2755	2631	\$55,720 98	140106	176449	4 to 15
1817	355	3713	2873	64,834 88	170385	198440	6 to 7
1818	374	3264	3228	73,235 42	183253	218969	5 to 6
1819	402	4614	3844	93,010 54	210316	235871	8 to 9
1820	515	5763	5118	117,151 07	271877	302703	9 to 10
1821	545	6332	5489	146,418 08	304559	317633	24 to 25
1822	611	6659	5882	157,195 04	332977	339258	42 to 43
1823	649	7051	6255	173,420 60	351173	357029	44 to 45
1824	656	7382	6705	182,820 25	377034	373208	94 to 93
1825	698	7642	6876	182,741 61	402940	383500	101 to 96
1826	700	7773	7117	182,790 09	425586	395586	100 to 93
1827	721	8114	7550	185,720 46	431601	411256	21 to 20
1828	742	8298	7806	222,995 77	441856	419216	96 to 91
1829	757	8609	8164	232,343 21	468205	449113	47 to 45
1830	773	8872	8292	214,840 14	480041	460257	48 to 47
1831	785	9063	8631	238,641 36	499424	497503	50 to 49
1832	793	9339	8841	244,998 85	507105	509967	1 to 1
1833	811		8941		494939	508878	49 to 50

The School fund in 1833, is 1,735,195 dollars, annual expenditure 1,126,000.

The above table exhibits only the amount of money paid out of the funds, and so much as the authority of the state imposes on the towns, to be raised by them, in consideration of their receiving those funds, which is an *equal sum*. The several school districts have besides

* The returns of the last four years embrace the number of children over five and under sixteen years of age.

the authority to levy a certain proportional sum, about double, it is believed, of that derived from the fund.

But this, which makes in all four times the amount distributed from the fund, does not show the total expenditure on this noble object of legislative provision.

It was estimated at the beginning of the year 1832, that in the nine thousand and fifty-four districts, where schools were supported, two hundred dollars each were invested, on an average, in *school-houses*. This gives a total of one million eight hundred dollars, which, together with one hundred and seventy thousand dollars

invested in the same way in the city of New York, gives a total of one million nine hundred and eighty thousand dollars, vested in school houses, which at an interest of six per cent per annum, would be \$118,848 Annual expense of books for 506,887, at 50 cents each, 253,443
 Fuel for 9054 schools, at \$10 each 90,540
 Amount of public money for teacher's wages, 244,886
 Amount paid for teacher's wages, besides public money, 372,409

1,080,699

showing the present annual expenditure of the citizens of this state, for the support of common schools, to be one million and eighty thousand dollars, and proving that the application of one hundred thousand dollars out of the fund, induces them to raise voluntarily more than nine times the same amount for the same object.

Police of the System.

This exists in the hands of one *superintendent* of common schools, who is likewise the secretary of the commonwealth; fifty-five *clerks of counties*; the *commissioners* of about seven hundred and ninety towns, and the *trustees* of nine thousand school districts.

These several agents are in regular subordination to each other, and, in succession, receive and distribute the funds appropriated by the state for the support of schools. The highest officer, the *superintendent*, is made directly amenable to public opinion, as well as to the law, in being required to present to the legislature annually in the month of January, a report containing:

"1. A statement of the condition of the common schools of the state.

"2. Estimates and accounts of expenditures of the school moneys.

"3. Plans for the improvement and management of the common school fund, and for the better organization of the common schools.

"4. All such matters relating to his office, and to the common schools, as he shall deem expedient to communicate."

The collection of documents already issued under this requisition, contains a most useful and instructive mass of facts, which ought to be in the hands of every state legislator in the union. It may be observed, that the police of the general system is not applied in the city of New York, where, instead of commissioners of towns and trustees of the schools, *chosen by the people*, the disbursement of the public money is entrusted to a company, called the "Public School Society." The reason or necessity of this difference of organization has never, to our knowledge, been made evident.

In 1832 the number of academies had risen to fifty-nine, and the number of pupils was four thousand eight hundred and eighty-eight, or seventy-one to each academy. In addition to the means for supporting common schools, the state has another extensive fund, called the *Literature Fund*, under the management of the "*Regents of the University*," to which one hundred and fifty thousand dollars was added in 1827, the income of which was required to be distributed to the several incorporated academies and seminaries in proportion to their numbers of pupils. It is gratifying to observe, that a liberal spirit has been manifested in furnishing to these institutions various means and implements for cultivating the natural sciences, and that some of them have already become useful to science by their application of these means. We may refer particularly to the numerous sets of meteorological observations occasionally published by the "*Regents*," and which are all made at the academies under their charge. The money appropriated to these institutions, has been thus applied with a view of converting them into nurseries of teachers for the common schools.

As the latter are generally taught but a part of the year, that is, on an average, not more than eight months,

and as the teachers will generally be otherwise engaged for a portion of their time, and will not be permanently devoted to the business, it is highly important that the greatest possible number of intelligent men should be found in every precinct, capable of understanding the duties, if not of performing the labours, of teachers. In a community thus fully supplied with intelligent members, and impressed with the value of thorough instruction, dulness and mediocrity will seldom find encouragement to usurp the office and responsibility of guiding the intellectual pursuits of the young; while the agents entrusted with the execution of the laws on education will hesitate before they "lay careless hands on skulls that cannot teach, and will not learn."

THE SCHUYLKILL NAVIGATION COMPANY.

Opinion of Counsel, on the right of The Schuylkill Navigation Company to make another Lock and Canal for the use of the Navigation at the Fair Mount Dam.

Office of the Schuylkill Navigation Company, }
 Philadelphia, December 17, 1832. }

To JOHN SERGEANT, Esq.

HORACE BINNEY, Esq.

CHARLES CHAUNCEY, Esq.

Dear Sirs,—The President and Managers of the Schuylkill Navigation Company deem it necessary, for the navigation of the river Schuylkill, to make another lock, and a canal leading to and from it, at the Fair Mount dam. They have already doubled the locks at eight other points on the river, with a view to facilitate the navigation; and the additional work at Fair Mount has become so essential to the accommodation of the increasing trade on the river, that without it the navigation will be much impeded, and occasionally interrupted at that point. You are requested to examine the agreement made between the Navigation Company and the City of Philadelphia, dated the 14th June, 1824, as well as all other agreements between these parties, in regard to the water and water-power at Fair Mount, and to give the company your opinion upon the following questions:

1. Whether there is any thing in any or all of those agreements, which deprives the Schuylkill Navigation Company of the right to draw such a quantity of water from the dam as they deem necessary for the purpose of the navigation, and to prevent its being impeded or interrupted.

2. Whether for the same end and object, the company have not a right to build another lock, and a canal leading to and from it, at Fair Mount.

2. Whether the Navigation Company have not a right, if they see fit, to remove the lock-keeper from the present toll-house at the Fair Mount dam, and to remove that house also, if necessary to the prosecution of another canal and lock.

In giving your answers, you are respectfully requested, not merely to state your opinion, but the reasons for it, and the several considerations which have induced you to entertain it.

Yours respectfully,

(Signed,) JOSEPH S. LEWIS, President.

OPINION.

We have very deliberately considered the preceding questions, and in consequence of the great interests involved in them, have examined, we believe, every agreement between the City of Philadelphia, and the Schuylkill Navigation Company, relating to the subject, beginning with the source of all authority to the company over the water and water-power of the river Schuylkill, its act of incorporation, dated the 8th of March, 1815.

As we have been requested not merely to give our opinion, but to state our reasons for it, and the several

* For a concise view the general state of Education in the United State, by W. R. J., see Vol. X. p. 257.

considerations which have led us to entertain it, we shall deem it our duty to advert to all the clauses, both of the charter and of the respective agreements, which concern the inquiry, and whenever we think the occasion requires it, to insert them at full length, instead of giving what might be deemed the substance or the effect of them. If any controversy shall grow out of the points submitted to us, it will so materially affect the interests both of the Navigation Company, and of the City Corporation, but more especially of the proprietors of certain parts of the city plot fronting on the river Schuylkill, that the subject cannot be too carefully examined, or too maturely investigated at the present time; and nothing can better test the accuracy or the extent of the investigation, than a copious recital of the various provisions, stipulations, covenants and agreements from which the opinion is deduced.

The City of Philadelphia, it is understood, has been advised that the Navigation Company have no right, under any circumstances, to draw from the river at Fair Mount dam, any greater quantity of water than is required for the supply of the present locks and canals; consequently, that they cannot use it to supply new locks: and further, that the City authorities have an indefeasible right to possess and to manage those locks, and to retain possession of them and the toll-house, so that the company cannot discharge them or their servants, by way either of release or removal, from that position and office, however necessary for the purposes of facilitating the navigation it may be deemed by the company. These questions, it may be remarked, have no necessary dependence. The company may have a right to draw the water to a greater extent than the city admits, and to make new locks and canals for that purpose, and at the same time may not have a right at their pleasure to remove or discharge the city and their servants and agents, from the management of the present locks. The propositions, therefore, are not necessarily connected. But as we understand that our opinion upon both of them is requested, so far as the questions submitted involve it, we shall accordingly proceed to give it.

The authority of the Schuylkill Navigation Company to use the water and water-power of the river Schuylkill, is wholly derived from their charter or act of incorporation, granted by the legislature of Pennsylvania on the 8th of March 1815. The principal, and indeed the only public object of this charter was to make "a lock navigation on the river Schuylkill." The Company, to this end, were empowered to enter upon the river Schuylkill; to open, enlarge and deepen the same for the purpose of making a new channel or improving the old one, to enter upon and occupy all such lands of individuals as should be suitable for erecting locks, sluices or canals; to enter upon inclosed grounds, and take and carry away any stone, gravel, sand or earth, "and to make, erect and set up any dams, locks, or any other device whatsoever, which they should think most fit and convenient to make a complete slack-water navigation from one end of the river to the other, so as to admit a safe and easy passage for loaded boats, arks and vessels, up as well as down the river, or by means of such collateral sluices and locks as they might devise for the purpose." The navigation of the river was the end of the charter. The rights of the company are such only as are consistent with this end. This is an inference of law, from the design or object of the incorporation; and would have been free from all doubt, if the legislature had done no more than to declare the purpose of the charter, the powers of the company to effectuate it, and the emoluments which they might derive from the object when accomplished. As a necessary legal qualification of the rights of every corporation, this company must have been bound to exercise them in such a manner only, as would be consistent with the great end of its creation.

But in regard to the rights of water-power, this char-

ter has not left the qualification to inference. The fifteenth section is in the following terms:

"And be it further enacted by the authority aforesaid, that the said President, and Managers and Company, shall have the privilege, and be entitled to use the water-power from the said river, sluices or canals, to propel such machinery, as they may think proper to erect on the land, which they may previously have purchased from the owner or owners; or may sell in fee simple, lease or rent, for one or more years, the said water-power, to any person or persons, to be used in such manner, and on such terms as they may think proper, *provided it be so done that it shall not at any time, impede or interrupt the navigation*: and shall pay the moneys arising from the sale of the water-power to the improvement of the navigation, or repairing of any damages that the dams or locks may have sustained."

Upon this *proviso*, as well as upon the other parts of the charter, we entertain no doubt whatever, that a grant or sale by the company of the whole water-power of the river, in express terms, so as to leave nothing for the navigation, would be subject in the hands of a purchaser to the claims of the navigation. The company have no right to dispose of the water-power, except in subordination to these claims, which, so long as the charter exists, must remain under their protection. They cannot sell, lease, or rent it, except it be so done that the use of the water-power by the purchaser or lessee will not "*at any time impede or interrupt the navigation*." No language of the company, however strong, can confer a right of water-power upon the purchaser, that is not subject to this qualification. It is a qualification of the rights of the company themselves. They cannot dispose of any more than what remains after fully providing for the navigation, because it does not belong to them. Whatever right of action may be given to a purchaser by a grant of water-power without restriction, or with a less restriction than the demands of the navigation require,—that is, whatever claim such a purchaser might have upon the company for damages or compensation, in consequence of his not getting an unlimited water-power according to his grant, we entertain no doubt that he could not get an unlimited water-power by any words of grant which the company might adopt, and that the *proviso* of the fifteenth section would enter into every grant, and qualify the purchaser's use of the water-power, whether the grant expressed it or not, and even though it expressed the contrary.

There is another principle, equally clear, which we deem it proper to state in this place. The powers of every corporation are given to it to assist in attaining the end of its existence. In the creation of a corporation for the performance of a work like this, the commonwealth appoints its own agent, to whom, and to whom alone, it entrusts all the authority, discretion, and power of supervision, control, and legislation, that it thinks requisite for the performance. A power, particularly a legislative power, thus given to the corporation, cannot be transferred to another body or another person, nor the right to exercise it to any extent which the design of the corporation requires, be abandoned or extinguished by the company. The protection of the navigation, for instance, is confided to the company. They are entitled to make rules and regulations for this purpose, and they cannot transfer or abandon the right. They are entitled to say what locks, devices and canals are from time to time necessary to give proper facilities to the navigation, for the work is in its nature progressive, and as any part is found to be inadequate to the end intended, it is the duty, and therefore the right of the company to make provision for it, and they cannot surrender this right. They cannot lawfully submit to any other person or body the right of saying what is a sufficient supply of water or of locks for the navigation: for the duty of using their own judgment in this respect, for the benefit of the navigation, is imposed upon them

by the charter, and they cannot escape from it, or lawfully pass it to another. We entertain the opinion then, without doubt, that if the company should grant to any person all the water-power of the river, except so much as *that person* should think expedient for the navigation, such a grant would exceed the authority of the company, and so far would not bind them or their successors to submit to such a judgment. We are also of opinion, that if the company should grant to any person the water-power of the river, except so much as should be necessary for the navigation, or except so much as should prevent the navigation from being at any time impeded or interrupted, the company would remain after such a grant, as they were before, the judges of what was necessary; because the discretion or judgment of the company on this head, is what the charter secures for the benefit of the public; and it must be implied in every grant of water-power, that the company reserve this exercise of judgment, though it be not so expressed. It is not intended to say that the judgment might not by possibility be so extravagant as to give a purchaser a right of action for a wrong done by the company, under colour of their corporate right; but every exercise of it, *bona fide*, would bind the purchaser, that is to say, every such exercise of it as would not by its extravagance infer an intention to do wrong.

It is necessary to bear these principles in mind in the interpretation of the contracts for water-power made by the company and the city of Philadelphia. If we understand them correctly, there will be no necessity for a direct application of any of these principles; but they may assist in removing doubts as to their meaning, if any such doubts exist. For we hold it to be very clear, that as the right of water-power belonging to the company is subject to restriction or reservation by a law that was known as well to the city as to the company, and which law it was the duty of both to respect, the first effort ought to be to make the grant of water-power to the city consistent with the law, and to interpret all doubtful or equivocal expressions of the contract, if any there be, in such a manner as to give full effect to the restriction or reservation. It cannot be supposed that the parties meant to violate the law, the one by giving, and the other by taking, more than it was lawful to give or take. It will be time enough to impute such an intention, and to consider its legal effect, when the words of the contract shall be thought to leave no doubt about it. Doubtful words should be so interpreted, if possible, as to make the contract lawful throughout. This principle is of constant application in the construction of public laws, which are alleged to transcend the constitution of the commonwealth; and the charter of a corporation is its constitution. And this canon of construction can do no wrong to the city in any way; for if we are right in supposing that a grant without a reservation of water to the whole extent that the navigation requires, would be to that extent invalid, it follows that the city would gain nothing in point of water-power, by holding that, under the words of the instrument, the grant was free from reservation. It would still be subject to the charter reservation, for the benefit of the river trade, although it might subject the company to the imputation of meaning to violate its charter.

We proceed, then, to an analysis of the different contracts which have been made by the Schuylkill Navigation Company, in regard to the water and water-power at Fair Mount Dam.

The first agreement between the company and the city of Philadelphia, in relation to the dam and water-power at Fair Mount, is dated the 3d of June 1819. It recites,

1. Robert Kennedy's right to water-power at the Falls, for certain purposes, by the act of assembly, dated the 9th of April, 1807, and his grant to Josiah White, by deed, dated the 21st April, 1808.

2. Articles of agreement between the Navigation Company and Josiah White, dated the 14th August,

1816, whereby the company "did grant to said Josiah White, his heirs and assigns, the right to erect a dam, consisting of several parts as there defined, across the said river, at the Falls of Schuylkill aforesaid, and down along or near the western shore of the said river, between the canal then made and the river; and the said Josiah White, his heirs and assigns were thereby invested forever with, and entitled to all the rights of water-power at the said improvement of the said Falls, *which the said company was entitled to grant under the act of assembly and supplement aforesaid, provided that it be so drawn off, used and employed, that it should not at any time, impede, interrupt, or injure the navigation of the said river or canal,* and under such conditions, terms, and stipulations as in the said recited agreement are more fully expressed and mentioned."

3. An assignment by Josiah White to Joseph Gillingham, dated the 1st January 1817, conveying a certain interest in the premises, under and subject to all the conditions, stipulations and agreements therein mentioned.

4. A conveyance by Josiah White and Joseph Gillingham, to the Mayor Aldermen and Citizens of Philadelphia, dated the day of 1819, granting all their right of water-power at the Falls, and generally of and in all the water of the said river at the said Falls, and all the rights, &c. given and granted by the above recited articles of agreement between the Navigation Company and Josiah White.

The city of Philadelphia consequently first acquired an interest in the water-power, and water of the river Schuylkill, with an express qualification, limiting the quantity to that which the company was entitled to grant under the act of incorporation and its supplement, and limiting the use of what was granted, in such a way, as it should not at any time impede, interrupt or injure the navigation of the river. This is the clear and express effect of the agreements and grants thus far recited.

The agreement of 3d June, 1819, then further proceeds to recite as follows:

"And whereas the said Mayor, Aldermen and Citizens of Philadelphia, being desirous to increase the supply of water raised from the river Schuylkill, for the use of the said city, and for vending the same, if they see fit, to the adjoining districts, as well as for such other purposes as are hereinafter mentioned, by means of a new and enlarged power, to be obtained by the erection of a dam to be built therein, near to their present water-works; and whereas the said Navigation Company, fully sensible of the importance of such improvements, and willing to give effect to the same, *so far as may be done under their charter of incorporation, and having at the same time respect to the navigation of the said river, which, by the erection of such works, may be improved and extended,* have agreed with the said Mayor, Aldermen and Citizens of Philadelphia, to allow of such improvements, under the conditions, stipulations and improvements hereinafter mentioned."

The clauses of the agreement material to be noticed, are then introduced in the following terms:

"Now these presents witness, that in order to fulfil the intention and meaning of said parties, and also the acts of assembly before mentioned, the said parties have contracted and agreed mutually with each other, with respect to the improvements to be made by the said Mayor, Aldermen and Citizens of Philadelphia and their successors, at or near to Fair Mount, Penn Township, Philadelphia county, as follows, to wit: They, the said President, Managers and Company of the Schuylkill Navigation Company, grant to the said Mayor, Aldermen and Citizens of Philadelphia, the right, and they the said Mayor, Aldermen and Citizens of Philadelphia, agree to erect a dam as hereinafter directed, across the said river, near to Fair Mount, at or nearly opposite to Hunter street, as laid down in the town plot of Morrisville; the said dam to be built conformably to the charter of incorporation of the said Navigation Com-

pany, and the supplement thereto, and to be so formed as to be level on the top, from one abutment to the other, and so constructed as to raise the water of the said river as high as the said Josiah White might of right do under the said recited articles of agreement between the said Navigation Company and the said Josiah White. It is hereby mutually understood and agreed between the said parties, that the said President, Managers and Company of the Schuylkill Navigation Company shall and may at all times, draw off from the said dam as much water as they may deem necessary for the purpose of the navigation, and that the said Mayor, Aldermen and Citizens shall and may enjoy all the remainder of the water of the said river for the purpose hereinafter mentioned, provided they do not at any time, reduce the same or keep the same reduced below the level of the surface, or top of the said dam; it being the design and meaning of the parties, that the said Mayor, Aldermen and Citizens shall only have such use of the water as, with the use thereof by the said President, Managers and Company, will not reduce it below the said surface or top of the dam, or keep it so reduced; and the said dam to be kept up, and in good and sufficient repair, at all times and forever, by the said Mayor, Aldermen and Citizens of Philadelphia, and their successors, at their own proper expense and charges."

The right of the Schuylkill Navigation Company, under this agreement, to draw off from the dam at all times "as much water as they might deem necessary for the purpose of the navigation," was thus, beyond controversy, clear and express—and it was only the remainder of the water that was to be enjoyed by the city, and that not generally, but for the purposes hereinafter mentioned."

The agreement then provides that a tail-race or canal, to accommodate the navigation of the said river at the said dam, should be made by the city, and delivered and secured to the Navigation Company and their successors forever:—that the city should also build a guard-lock and two chamber-locks of particular dimensions, materials and construction; the Navigation Company to exercise in the fullest manner, the right of inspection, that they might be satisfied with the work: that in case the city should place the canal and locks on the east side of the river, they should make for the Navigation Company, a separate canal of certain dimensions from the dam, to enter the river below the water-wheels of the city, with a guard-lock and other securities for the boats; that if the city should at any time afterwards, make a canal along or near to the route of the canal at Morrisville, to communicate with the Schuylkill northward of Fair Mount, or in case any other person or body politic should make said canal, the Navigation Company should not require the tolls on said canals and locks to be paid to them; and in case the city should make a canal between Quarry Hill and the river, that they should be at liberty to receive all the tolls receivable on such canal, except so much as might be equal to the tolls which the Navigation Company might then legally take at one of their locks; and then comes the following restriction upon the use by the city of the remainder of the water before mentioned.

"And the said parties hereby further covenant and agree, that the said Mayor, Aldermen and Citizens of Philadelphia, and their successors, shall not sell, lease or dispose of any water-power of the said river Schuylkill, nor use the said water-power for manufacturing purposes, except only for boring pipes, pumps, and such other matters and things as may be useful to and connected with the said public works of the said Mayor, Aldermen and Citizens of Philadelphia."

The agreement then stipulates that the city shall supply sufficient ground adjoining the locks, whereon to erect a toll-house, with free access to and from the same, and that the locks and canal when finished, and ground for the toll-house, shall be delivered over and put in possession of the company, to be and remain their

property forever; and the rest of it is not material to the present inquiry.

We entertain no doubt that the true construction of this agreement of the 3d June, 1819, gives the following result:

1. That the Navigation Company reserved, as they were bound to reserve, a right in the first instance, to use as much of the water and water-power of the river at Fair Mount dam, as they might deem necessary for the purpose of navigation, and whether it should or should not reduce the water below the top of the dam.

2. That the right of the city was confined to the remainder of the water and water-power, and that this right of water-power was not general, but was expressly restricted,—1st, so as not to reduce it below the dam, or to keep it so reduced if the use for the navigation should reduce it below; and, 2d, so as not to be subject to sale, lease, or disposition by the city, nor of use for manufacturing purposes, except only for boring pipes, pumps, and such other matters and things as might be useful to, or connected with, the public works of the city.

3. That the manner of using the river for the purpose of the navigation, was left, as in point of law it ought to have been, wholly to the discretion of the Navigation Company, as they should deem it best for the object of the charter, and subject to no other control than such as is exercisable by the courts of law over every corporation, when it transcends the just limits of its power. The right of the corporation, as to both the manner and extent of the use, for the purposes of the navigation, whether in one or more canals, or through one or more sets of locks, was not changed by the agreement, but existed afterwards, precisely as it did before.

A second agreement between the Navigation Company and the city was made on the 20th day of July, 1820, which is not very material. It recited that it was deemed expedient by both parties, that the city should have power to raise the dam at Fair Mount eighteen inches higher than was previously permitted, "subject to all the agreements, rights and duties" contained in the articles of the 3d June, 1819, excepting such as regarded the height of the dam; and it agreed, that the city should, within the time specified in those articles, raise the dam eighteen inches higher, and "that all and singular the articles, agreements and stipulations, clauses, rights and liabilities, contained, made, reserved or assumed, in and by the former articles, shall be deemed and held to be in like manner contained, made, reserved or assumed, by these articles, in reference and relation to the dam of increased height, hereby authorized, and the waters raised hereby, as fully as if herein particularly and distinctly repeated," &c.

All the rights of the Navigation Company remained after this agreement as they were before, the only change effected being that of their application to a dam of increased height.

(To be continued.)

THE SIXTEENTH ANNUAL REPORT OF THE INDIGENT WIDOW'S AND SINGLE WOMEN'S SOCIETY, FOR 1832.

With reverence and with devout feeling of gratitude to the Sovereign of the Universe, the Managers of the "Indigent Widow's and Single Women's Society," meet the return of this day, after the lapse of a year which has been marked by more than common occurrences.

The seasons, as they have revolved in rapid succession, have borne to their eternal home, many who have been the victims of a tremendous visitation. But the home of the widows have been spared. The God of Providence has spared the Widow's House. The raging pestilence was not permitted to enter their peaceful dwelling.

The Managers, to whose care has been intrusted this

interesting community, invite the benevolent supporters of the institution, to unite with them in the pious sentiment which animates their own bosoms, whilst they profess their firm belief, that to infinite mercy they are wholly indebted, that neither the aged inmates trembling on the verge of the grave, nor any of those whose happiness it has been to cherish them and to alleviate their misfortunes, have been swept off by the near and threatening storm. During the period of universal trepidation, the besom of destruction was arrested at the very threshold of the widow's house; and at the time when sickness and death pervaded almost every avenue of our city, the family at the Asylum continued to enjoy a greater share of health than could reasonably have been expected. It would, however, have been presumptuous to calculate upon an entire exemption from the diseases incident to frail humanity, and more especially in a family of fifty-two in number; forty-eight of whom had already passed the meridian of their strength. In the beginning of the year, when a severe epidemic prevailed, not only in our own vicinity, but generally over the known world, (an awful precursor of a far more dreadful visitation,) the health of our house was invaded, and many of our inmates were exceedingly shaken by the effects of the influenza. But on the return of that delightful season, when even age becomes renovated, and all nature glows with Eden's first bloom—this interesting family, with very few exceptions, again assembled in their hall of social worship, to unite with the excellent clergyman, who had never ceased his pious labours for their benefit, to render up their homage of grateful praise to Him, whose mercies, during the inclement winter, had not withdrawn from their retired habitation. It is agreeable to your Managers, as it is their duty on the present occasion to express their thanks to the pious ministers, and to the kind physician who have given them time and great exertions, for the aid and consolation of weary sojourners, whose mortal career had been clouded by many distressing vicissitudes, and whose full frail tenure seems to be gradually closing. From the records of the year may be drawn many affecting illustrations of the usefulness of our institution. In March, the trying month of age and infirmities, one of our most esteemed incumbents was called at the advanced age of 73 years, from her pilgrimage on earth to that rest for which she had been long and patiently preparing. The next who followed was of peculiarly interesting character; through a tedious and painful decline she was soothed with the assurance, that her Saviour was her friend, and that in His presence, "fullness of joy" awaited her. Two others after severe protracted illness, have ended their troubles. The truths of the gospel were their anchor, and the rock of their salvation. Among the many evidences of the power and goodness of God, a remarkable instance that occurred in the asylum, deserves to be particularly noticed. One unhappy being whom the hand of Providence had for years, bowed under the most appalling disease, and whose mind had long resisted every effort the managers could employ to soothe, and to persuade her acceptance of instruction from the glad tidings of the gospel, had passed year after year, confined to her bed in a distressed state, and of those who visited her, none could leave her room, without retaining impressions harrowing to their feelings. Miserable indeed was the condition of this poor old woman! when the "Blessed Saviour passed in mercy by, and light from Heaven broke upon her benighted mind." On a solemn occasion, when the preacher was engaged with the family in the hall, their devotions were interrupted by the cries and noise of this poor sufferer. He desired to be taken to her room, and the matron entreated that he might be admitted, but was positively refused. He was at the door—he could not, he did not resist the impulse—he entered, and the aged sufferer became instantly silent—for some time he talked to her, and then prayed—her heart was touched,

and it is believed that from the date of this interview, a gradual change took place; and before her course was finished, a beam of peace irradiated her departing spirit. Surely this retrospect cannot but be acceptable to every heart whose cords can vibrate in sympathy for the deep and solemn trials of fellow mortals in their progress through time to eternity.

The chambers which were vacant and desolate, are now re-occupied. From the many recesses which our city affords of bereaved and suffering merit, six new incumbents have supplied the places of those departed, and the Asylum of the indigent and aged, is earnestly recommended by the Managers to the liberality of the munificent.

The Treasurer's report exhibits the exhausted state of those means by which the establishment has been maintained. In the confiding hope that their appeal for the aged and the indigent, shall not be in vain, the Managers submit their report.

Although the Managers have expressed their gratitude for having through mercy escaped the fearful disease which recently existed in our city, yet there remains a painful duty for them to fulfil. In paying the tribute of respect and affection to departed merit, there is a feeling of sadness, so pure and soothing, that it is difficult to define or give it utterance. The death of two beloved associates in our board since the last anniversary, is still deeply felt and deplored by the Managers they have left.

The merit of Mrs. Hodge, as a Manager and Treasurer of the Society, and her devoted attention to the comfort and welfare of the institution cannot be delineated even by the pen of warmest friendship. The recollection of her excellence in the various characters she sustained, and the active services which she faithfully rendered, will be long cherished in the hearts of those who intimately knew her virtues.

Nor is the tribute of affection and respect less due to the memory of Mrs. Elizabeth Biddle. The amiableness of temper, suavity of manners, and correctness of judgment for which both these beloved friends were distinguished, whilst remembered with regret for themselves; affords the consoling hope of meeting them again, where they have gone to reap the rich reward of duties fulfilled, and faith triumphant.

Indigent Widow's and Single Women's Society, in account current with R. Chester, Treasurer.

1832.

DR.

March 21. To cash paid Thomas Biddle & Co. for \$3000 Schuylkill Navigation, 5 per cent. Stock,	\$3,037 50
September 6. To cash paid for printing reports, &c.	26 35

1833.

January 3. To cash paid upon warrant of the Board of Managers to Purchasing Committee,	2,600 18
To cash balance in favour of the Society,	42 51
	<hr/> \$5,726 54

1832.

CR.

January 12. By balance in former account,	70 50
By cash received amount of collection taken up after a sermon, delivered by Rev. Mr. Barnes,	141 71
March 21. By amount of Chaloner and Henry's note for	2,000 00
August 12. By estate of Charles Evans deceased, in full of residuary Legacy through C. Evans, Esq. Executor,	861 09
December 6. By Saving Fund, a return of deposits,	100 00

1833,	
January 3. By admission of Pensioners in- to Asylum,	210 00
By Board of Persons in Asylum,	152 50
By work done in the Asylum,	50 39
By Furniture sold,	10 25
By Dividends and Interest on Stock, &c.	959 00
By Annual Subscriptions,	700 00
By Life Subscriptions,	60 00
By Donations, (Sunday,)	387 71
By Fines from Managers,	8 00
By Charity Box,	15 33
	<hr/> \$5,726 54
By Balance in favour of the Society,	42 51

E. E.
Philadelphia, Jan. 8th, 1833.

METEOROLOGICAL REGISTER.

*Extract from the Meteorological Register, taken at the
State Capitol—Harrisburg, Pennsylvania,*

By JAMES WRIGHT, Librarian.

DECEMBER, 1832.

Days of the Month.	Days of Week.	Morning temperature.	Noon temperature.	Even. temperature.	Mean temp. of day.	Highest in Morn.	Highest at Noon.	Highest in Even.	Mean height of Barometer each day.	WINDS.
		<i>Thermometer.</i>			<i>Barometer.</i>					
1	Saturday	54	52	45	50	29.33	32	30	29.32	N W
2	Sunday	30	30	32	31	28	28	24	27	N E
3	Monday	32	41	40	38	20	20	20	20	N E
4	Tuesday	32	41	40	38	16	16	16	16	W
5	Wednesd	35	42	42	40	16	18	17	17	W
6	Thursd'y	30	40	43	38	15	17	19	17	W
7	Friday	32	44	46	41	16	16	19	17	S E
8	Saturday	46	47	47	47	19	19	19	19	E
9	Sunday	50	50	49	50	19	17	17	18	W
10	Monday	41	47	48	45	16	16	16	16	N W
11	Tuesday	36	43	44	41	14	15	16	15	N E
12	Wednesd	44	46	46	45	15	14	15	15	N W
13	Thursd'y	42	50	51	48	14	16	15	15	N E
14	Friday	48	50	49	49	17	16	16	17	N
15	Saturday	49	47	49	48	16	15	16	16	N E
16	Sunday	50	51	50	50	15	19	17	17	N E
17	Monday	50	49	45	48	15	16	16	16	W
18	Tuesday	39	41	40	40	13	15	16	15	W
19	Wednesd	32	33	32	32	10	10	10	10	W
20	Thursd'y	22	28	27	28	6	8	9	7	S W
21	Friday	19	25	25	23	5	7	7	6	W
22	Saturday	24	29	28	27	6	8	8	7	N W
23	Sunday	13	37	35	28	3	6	8	6	N W
24	Monday	21	41	31	31	9	12	11	11	S
25	Tuesday	32	45	35	37	1	13	13	13	S W
26	Wedne'y	32	32	32	32	14	16	15	15	W
27	Thursd'y	39	49	42	43	14	15	16	15	W
28	Friday	35	50	35	40	11	16	15	16	N W
29	Saturday	32	40	35	36	17	18	18	18	N W
30	Sunday	27	44	32	34	22	24	26	24	S W
31	Monday	30	50	35	38	26	26	28	27	S W

		<i>Thermometer.</i>	<i>Barometer.</i>
Maximum on 1st	50°	Max. on the 1st	29.32 in.
Minimum on 21st	23°	Min. on the 21st	29.06 in.
Difference	27°	Difference	00.26 in.
Mean	39°	Mean	29.16 in.

Atmosphere.

Days of the month.		<i>Morning</i>		<i>Afternoon.</i>
6	10 25 28 29 30	6 days	Fair	Fair
7	20 23 24 31	5 days	Fair	Cloudy
22		1 day	Cloudy	Fair
1	2 3 4 5 11 12 13			
	14 16 18 19 21 27	14 days	Cloudy	Cloudy
9		1 day	Rain	Rain
17		1 day	Rain	Cloudy
8	15 26	3 days	Rain	Rain
Days of the Month.				<i>Wind.</i>
14		1 day		N
2	11 13 15 16	5 days		N E
8		1 day		E
7	26	2 days		S E
24		1 day		S
21	25 30 31	4 days		S W
4	5 6 9 17 18 19 21 27	9 days		W
1	3 10 12 22 23 28 29	8 days		N W

On the 1st in the morning, thermometer at 54° the highest. On the 23d in the morning, at 13° the lowest. Range 41°

On the 1st in morning, barometer at 29.33 inches the highest. On the 23d in the morning, at 29.05 inches the lowest. Range 00.30 inches.

The wind has been 8 days east of the meridian; 21 days west of it; 1 day north, and 1 south.

There was rain on the 8th, 9th, 15th, 17th and 26th. A light fall of snow on the morning of the 3d, and high blustering winds on the 1st, 17th, 18th 19th and 20th.

EDUCATION OF THE BLIND.

Observations on the Instruction of Blind Persons, in a Letter to Roberts Vaux, John Vaughan, and Robert Walsh, Esquires.—By T. R. Friedlander.

PHILADELPHIA, JANUARY 7, 1833.

Roberts Vaux, John Vaughan, Robert Walsh, Esquires.
Gentlemen,

Conformably to your desire, I shall endeavour to communicate to you a few cursory remarks upon the subject of an Institution for the education of the Blind, and its essential advantages; and will hereafter give my views more fully.

That persons who are born blind, or those who have become so through misfortune at an early age, are susceptible of education, is sufficiently proved by experience; and indeed, those who are endowed with natural talent, can, by proper instruction and assistance, attain an incredible proficiency. Experience for a long time past has induced the establishment of public and private institutions, in most parts of Europe, and also in the United States, which have excited a general interest, and are at this moment bright examples of humanity, well calculated to effect in the most pleasing manner, the sensibility of the philanthropist.

The earliest records of history inform us of many remarkable blind persons, and almost every age has exhibited numerous instances of them, of whom permit me to quote a few in support of my position.

Hulderich Schoenberger, born at Weidau, in 1601, became blind in this third year. He was very much neglected in his youth; but when sent to school to pass away his tedious hours, he caught up very quickly what he heard, and unfolded his dispositions. He studied at the academy at Altdorf, became at Leipsic, master of arts, and went afterwards to Holstein, where he taught with approbation, and some years later he gave lectures. He understood not only his native language, but also the French, Latin, Greek, Hebrew, Syriac, and also the Arabic, in which he gave instruction. He wrote the Oriental languages by means of letters

formed of wire, in which he likewise instructed. In mathematics, and natural and moral philosophy, his knowledge was extensive. He played upon different instruments, particularly on the organ, which he manufactured himself. At Koenigsberg, he held disputations about colours, and the rainbow, and explained the origin of the colours. He played very well at nine-pins; shot right at a mark, when its place was pointed out to him by knocking.

Rolli, born at Rome in 1685, became blind in his fifth year; he acquired a great knowledge in medicine, and a high degree of proficiency in mathematics. He was also a poet, and wrote different kinds of poetry, among which the tragedy of *Porsenna* is in print.

The celebrated Saunderson, at Thurleston, in the year 1682, became blind in his second year; by industry he acquired an extensive knowledge of the dead languages, particularly of the Latin. Besides music, in which he distinguished himself on the flute, mathematics was his favourite occupation, and he raised himself in it so high, that the drew the attention of his contemporaries. He enjoyed the friendship of Sir Isaac Newton, on whose works he gave lectures, and was nominated by a mandamus from George II. as a Doctor of Law and Professor at the University of Cambridge. The Royal Society of London elected him one of their members, and after his death, the University of Cambridge published his mathematical works. Saunderson was married and had a daughter who could see.

Greisinger, born in Worms at the year 1638, became blind in his third year; he began to study in his nineteenth year, learned eight languages, disputed with applause at Gena, where he became master of arts. In 1693, he was employed as a preacher at St. George's Hospital at Koenigsberg. Several of his disputations and one sermon are printed.

Gough became blind in his earliest year. He wrote different disputations on natural philosophy and chemistry, of which one was read before the Philosophical Society at Manchester.

Peter Hureng of Caen in Normandy, became blind in his ninth year, and could repair all kinds of watches. He knew the defects of the watches by feeling.

Therese V. Paradies, born at Vienna in 1759, became blind in the second year of her age. She was finely educated, and played on the piano in high perfection. She gave concerts at Paris, London and Berlin with great applause, and instructed herself in Vienna.

Poingon, born blind, was a pupil of the Paris Institution, and obtained in the year, 1805, the premium in the mathematics (Lycée Charlemagne.)

Galloti, also a pupil of the same Institution, is a splendid musician, particularly on the violin. Besides other objects of science, he is a very good printer. His wife, a very good musician too on the piano, has also been a pupil of the same establishment. They are the parents of a girl who can see, and has a great talent for music.

Geipels, a blind man in the paper mill at Plauen, is the inventor of a water-press by which two men, by the help of water-power, in one minute and a half execute as much as six or eight men could do in five minutes. The paper prepared after his prescription by the water-press becomes more firm, and receives the sizing better.

Joseph Kleinhars, born at Nauders, in Tyrol, became blind in his fourth year. He made crucifixes and holy figures of wood, in which all parts were in due proportion, and which expressed affliction, delight, and other affections of the mind. He made statues from less than a foot high to the common size of the human body, which would do honor to many clear-sighted artists. He also carved in great perfection, heads or busts of living persons, which he took off by feeling either from nature or from casts.

Jacob Braun was born in 1795, and became blind in

the third year of his age. He was the first pupil with whom Director Klein at Vienne, made the first experiment to discover his power of receiving education, and upon which successful experiment was founded, the Institution for the Blind at Vienne. Braun was profoundly instructed in reading, writing, arithmetic, history, and in geography, as in music. He could moreover perform many handiworks, such as making laces, baskets, &c. He also learned turner's and joiner's work. In both of these he succeeded so well, that he can execute very fine works, and is now himself a teacher in the same institution. He purchases all the wood that he wants, knows good wood from bad by feeling, judges of its value and utility, and knows how to employ it in the most economical manner.

Many more instances might be added to show that blind persons, (even by their own unaided exertions,) may acquire the knowledge of arts that render their existence at once useful and agreeable; this shows the importance of directing their efforts, towards shortening and facilitating their labours, by means of a suitable education, which will inspire them with courage and hope, rescue them from idleness, and make them not only useful, but often valuable members of society.

These views have been acknowledged by a number of judicious men, and successful experiments of the cultivation of the blind, (an inestimable blessing to this unfortunate race,) have corresponded with them.

The noble philanthropist Haüy, established first in Paris, in the year 1784, an institution for the blind, and to this excellent example, all the existing institutions are much indebted. Their progress to a greater perfection, was a security for its undisputed benefit. Boston offers us a nearer example. The existing institution there, which has made a very favourable beginning, has Mr. Tranchery, a blind person, for its principal teacher, who has received an excellent education in the Paris Institution, and will no doubt fill his station with success. Besides him, there are several others, whom I knew in the Institution of Paris, who might be employed in a similar manner, which, by the increase of such institutions, will be requisite.

The exertions in the different states to form institutions for the blind, to give them an education conformable to their situation, is a striking proof that the want of them is every where felt, and that it will not only add honor to a state to adopt, as it were, those unfortunate and helpless beings, but a great benefit may arise therefrom, as it thereby creates so many more happy citizens, and removes numerous beggars, the sight of whom must be painful to every feeling heart.

The lately established institutions in New York held, a short time since, a public examination, which excited great interest, and there is no doubt that it will succeed.

The trial I have made here during a very short time with one blind boy, has, by its success, excited in you and many others the desire to establish a school for the blind in this city. I dare believe myself, conscientiously, equal to this undertaking, and under the patronage of benevolent persons, it would not be too hard a task for me to emulate the existing institutions.

My ideas for establishing such an one in Philadelphia, are the following: in the first place, there does not offer any where a better opportunity than in this place. According to Mr. Wills's testament, a house is building in Race-street, which very probably will be finished the ensuing spring. This building has been destined by that charitable man for an Asylum for the Blind and Lame. Who does not hereby remember the fable of the blind and lame?

Heterogeneous as is this union of those two unfortunate classes, still the object of the philanthropic testator is praiseworthy, and that house in future might be of great service to us, as an auxiliary, although it cannot as a principal building, because the lame and the blind cannot be mixed together, consistently with the

objects of the education of the latter, and it does not appear large enough to be divided into separate apartments. But after that education shall be completed, the building may be used very advantageously for the benefit of the blind. In every institution of this kind, it is necessary to have a house adjoining the principal one, for the use of those pupils who are orphans or destitute, so that, when they leave the school, they may enter there, and pursue what they formerly learned, to gain a livelihood, and be kept in due order and under proper direction; in this way Mr. Wills's building might be used.

Concerning this matter, I shall, at some other time, explain more at large the indispensable necessity of this establishment.

This, however, is a matter of secondary consideration; nevertheless, it is a fact which admits of no dispute, that blind persons, during the course of their education, must be entirely separated from all other influences.

The most certain, and the shortest way to attain our object may be that of raising a subscription; much charity is bestowed upon the poor blind; how much better will it be to spend it for the benefit of an institution which will endeavor, and has the power, to elevate such dependent people to the rank of useful men, to make blind persons of rich or easy families, happy members of society.

Should we not be able to obtain the house in Race-street, according to our desire, it will be necessary to rent a house well situated, if possible, with a garden, under the management of a man and woman, who will, at the same time, have the care of the pupils. Furthermore, I should want an assistant, whom I will instruct in the beginning, in order to aid me in different objects of instruction, as I shall have so much to do with the direction of all, and with the preparation of different things, by which I think to save in the beginning a great deal of expense.

This is most essential to remark, and what is requisite for our commencement. Afterwards, with perhaps eight or twelve pupils, I confidently assert, that in a very short time our undertaking must increase of itself, and I am sure, the state of Pennsylvania herself, (that contains five hundred and three blind persons,) will bestow her attention upon this matter, which is really worthy of it; till then, I place confidence in the humanity of the inhabitants of Philadelphia, for the common benefit, and hope they will help to erect and strengthen an institution by charitable contributions, which will promote the happiness and prosperity of those unfortunate beings who are deprived of the light of heaven, the greatest blessing of life, and which at a future time will be a noble monument of our age, and will secure the gratitude of after generations.

One thing I have yet to mention here, I mean the qualifications of pupils to be admitted. The requisite age I have already spoken of, is from seven to fourteen, but with particular exceptions, older persons may be also admitted. Undoubtedly that age is the most desirable, and, according to the statement of the whole number of blind in Pennsylvania, it may be, that about a tenth part number those years, consequently all the blind of the young generation of the state could be admitted, with certain qualifications, when the establishment shall be extended to about fifty pupils.

Occasionally I expect to explain to you every thing else worth knowing about these matters.

Finally, I add to you hereby my testimonials, by which you can know my former relations. Having been during three years as a teacher in the public institution for the blind in Baden, I am now here, with the ardent desire, and, I trust, the capacity to be useful to unfortunate humanity.

Your most obedient,

T. R. FRIEDLANDER.

Recommendations.

I do hereby unsolicited and with pleasure testify, that Mr. T. R. Friedlander was two years and seven months in my house employed as a tutor. He gained in every respect my perfect satisfaction, and deserves an unlimited praise on account of his deportment and character, which were entirely faultless and honest. I should have kept him still longer in my service, were it not his own wish to change his future destination. My hearty gratitude accompanies him on his voyage, for his amiable treatment of my children, and the interest he always felt for them.

CHARLES EGON, Prince of Furstenberg.
D'Onaueschingen, 6th May, 1828.

I with pleasure hereby testify, that the bearer of this, Mr. T. R. Friedlander, who devoted his studies in the year 1828, to the instruction of the blind in the institutions of Paris and London, and who officiated as my secretary, and was subsequently teacher in Bruchsal, at the Asylum for the Blind, has, by his industry and knowledge, and by his deportment and his performance in his profession, as likewise on all other occasions, always won my especial satisfaction. I therefore consider it my duty to recommend him particularly to every person, and sincerely wish him many patrons and friends in his new undertaking in the United States.

WILLIAM, Margrave of Baden.
Carlsruhe, 19th Jan. 1832.

From the National Gazette.

THE COAL TRADE.

There are at present one hundred steam engines in operation in the city and suburbs of Philadelphia, which would all use anthracite coal, in preference to all other fuel, if the price be reduced to five dollars per ton delivered—and they would average one ton each engine per day—and a very extensive manufacturer of steam engines assures me, he has no doubt that in twenty years from this date, the number of engines will amount to one thousand in this city and vicinity, requiring that number of tons of coal per day—six thousand tons per week, or three hundred thousand tons per annum! And all this consumption for manufacturing purposes alone, in and about this city. There are no less than ten steam engines within ten minutes walk of Bush Hill, which would consume seven tons of anthracite coal per day. Taking into comparative view all the other parts of the United States, and the universal application of this last though not least of our staples, the value of the coal of Pennsylvania is beyond all estimation both to the state and her silent, though straight-forward-going metropolis.

A steam engine of 20 horse power, at the price of five dollars per ton for anthracite coal, can be kept in operation for the same amount that it would cost to maintain a four-horse team and one man—and the engine has the advantage of steady, regular, and continuous operation. But at the prices hitherto demanded of seven to seven and a half dollars per ton for anthracite, other fuels have been resorted to, and its consumption reduced in consequence to the tithe, and, perhaps, the fiftieth part that it ought to be—and all who are permanently interested in the trade (and the whole community are benefited in proportion to its extent) are deprived of immense advantages by short-sighted cupidity, which grasps at immediate profit, thereby foregoing permanent gain to all concerned. The freight from Pottsville, I think, ought not to exceed a dollar to a dollar and a quarter per ton—and the toll be reduced to fifty cents, and mining wages in like proportion—and at these rates ample allowance may be made for handling, wastage, cartage, and incidental expenses; and a fair and just remuneration still be left for the capital of the land-owner, and all agents employed. From the extortion and cupidity alluded to, I must, in justice, exempt the land-owners, as I

understand they get no more for the coal in the ground when sold here at nine dollars, than at five dollars per ton; nor ought they to be censured or be accountable for any excitement of public feeling against the coal trade. This must advance gradually to be permanent, secure, and profitable. But that all may be fairly attributed to the unreasonable charges on the mining and transportation of the article to our city—and the same may be said, perhaps, with equal justice, of the extravagant freights paid from this to other ports of the Union, which added to our own most unreasonable freights and charges from the mines, here, have greatly reduced the consumption, and prevented its application to steam purposes generally; and without this application, the demand will be of but little comparative importance; for what are the parlor grates and kitchen furnaces of London to her various engines, but as a grain in the bushel! One large steam engine will consume as much as a populous borough would otherwise do. At more than five dollars per ton here, Rhode Island, Connecticut, and Massachusetts had better look to Maine for wood-fuel, and our steam engines to the shores of the Chesapeake and New Jersey for pine wood—or to Virginia, and even Nova Scotia at ten cents freight and six cents duties per bushel for coal!

I offer you the foregoing for what they may be worth, in good feeling for my beloved native state; and for the reflection and benefit of all whom these remarks may concern. And I am yours, &c.

A PHILADELPHIAN.

From the National Gazette.

The extraordinary speed and power of the locomotive on the Germantown rail road, should excite more attention than it has obtained from the enlightened community in which it has been made. It is the more remarkable, because it is in many points original, and because it is the very first working engine of the locomotive kind made by Mr. Baldwin, and yet it has surpassed in fleetness and proportional working power, any engine of whose performance we have been able to find any authentic account. In the celebrated trial of speed and power on the Liverpool and Manchester rail road, the "Novelty," of Brathwaite and Erickson, took the palm for swiftness, and the "Rocket" of Stephenson, that for power and efficiency. The former has not been since heard of, because of its want of adaptation to useful purposes, whilst the slower engines of Stephenson have been at work on almost every English rail road. According to the partial estimate of its friends, the Novelty on *that fine railway, cleaned for the occasion, and on a set day of trial*, ran a mile in a minute, while Stephenson's engine requires a minute and a quarter to pass over the same space, or travelled on a straight and level road at the rate of 40 miles per hour. At present, his locomotives take an hour and ten minutes to go the 30 miles between Low-hill and the depot at Manchester. In the trials recently made on Mr. Baldwin's engine, the road was muddy so as to impair the grip, and to lessen the smoothness, and she was used immediately after her afternoon's trip to Germantown. For the experiment, a space of two miles and a quarter was selected, in which there are four curves, and several very muddy crossways. In passing through this space, the steam was *cut off at each curve* so as to *visibly* lessen the speed, and yet the whole distance was passed over in three minutes and three-eighths. It was, therefore, done at the rate of 40 miles per hour. On the straight lines the speed seemed much greater, but no estimate of it was then made. On a subsequent day, however, when Dr. Patterson of the University of Virginia, was in the "tender," the mile on a straight line was run through in 58 seconds, according to the estimate of one computer, whilst another observer of time counted 52 seconds. That the distance might have been run in less time was obvious to all, for Mr. Baldwin made the engineer cut off the

steam entirely to check a career which he feared might become too great for the strength of the road, or the tenacity of the parts of the locomotive. At 58 sec. the speed was more than 62 miles per hour, at 52 sec. it was more than 67 miles per hour. From this rapid movement, no inconvenience was felt by the passengers, but a stiff breeze was produced by the quick motion through the air, so as to endanger the security of the hats.

By the contract, the weight of the engine was, we understand, limited to 5 tons, so that on a muddy rail the weight is not such as to secure a grip for a very long and heavy train of cars. What the engine could draw on a clean road cannot be well ascertained, for another reason. The rails not being inclined laterally, the space pressed by the inclined rim of the wheels is very limited. But when overloaded, the engine has shown her great power by turning her wheels on the rails, whilst the grip was not adequate to the propulsion of her load. By this we perceive that she can pull as much as it is possible for any engine of the same weight to pull on that road.

Although formed on the basis of Stephenson's engine, Baldwin's is superior in simplicity and compactness. The boiler is lighter in front, the pumps are formed in the guide rods, there is but one rod and rock shaft attached to the main valve; the throttle valve is a sliding one, placed close to the station of the engineer, and managed by a very short rod and lever. The eccentric has no lateral motion, but is reversed by moving the rod to the opposite side of the centre motion of the rock shaft.

Power and fleetness having been adequately obtained, simplification was that for which Mr. Baldwin sought, and in that he has succeeded so well as to leave little if any room for more pruning. The arrangements are such, too, as to enable the engineer to observe and correct defects without penetrating to the interior of the boiler. A manhole is therefore unnecessary.

On the whole, as the first instrument of its kind, containing so many new points, and issuing from the hands of a mechanic who never before constructed such a machine, its strength, ease of motion and fitness, must appear remarkable. As far as our opportunity of judging goes, we are warranted in esteeming this engine the best that has yet been constructed in any country, and fully capable of going at the highest speed compatible with comfort and safety. M.

Mr. Editor,—Permit me, through the medium of your paper, to pay a slight tribute of respect to the memory of the late Dr. Edward Hudson. Some abler pen—some nearer friend, may tell his merits as a parent, a husband, and a citizen. The writer of this will presume only to speak of him as a professional man.—Those only who have carefully attended to the subject, can have any adequate idea of the benefits the labors of Dr. Hudson have conferred, not only upon the people of this city, but of every part of the United States.

When he commenced his practice here, he found the profession generally at a very low ebb—usually exercised by mechanics. Those great principles which elevate Dental Surgery from an art to a science, were almost entirely overlooked or unknown. To remove this mass of rubbish—to obliterate bitter and widely extended prejudices—was the task of Dr. Hudson. How well he performed this duty can only be estimated by a reference to the state of the profession at the time he commenced his practice, and when he was taken from it by the hand of death.

Previously to his time, nearly all the talent among the dentists of this country was directed to the making and insertion of artificial teeth. Dr. Hudson taught the possibility and the immense advantage of preserving the living teeth, instead of suffering their loss, and resorting to artificial ones. He thought that, by strictly attending

to the dentition of children, all the irregularities and deformity of the teeth might be prevented; and that by continuing our attentions and performing timely operations upon any of those which ought become defective, these useful organs may be preserved in perfection during our whole lives.

Founded upon these principles, and recommended by his admirable operations, the practice of Dr. *Hudson* soon become the praise and admiration of all who witnessed or experienced its beneficial effects. His name was soon placed as first amongst all those who practised dentistry in this country. This reputation he always retained. He ever fully justified and honoured the confidence and commendation of those great physicians who so constantly and unhesitatingly gave him their patronage—Drs. Rush, Wistar, Physick, Chapman, and nearly all the most respectable practitioners of medicine in this city. All the great cities of this Union have paid a well merited tribute of respect to the merits of Dr. *Hudson*, as their first citizens came hither to enjoy the benefit of his skill.

Intelligent European dentists have acknowledged that Dr. *Hudson* had no superior among them—and probably he never had. It has been justly remarked in all parts of the United States that the higher classes of Philadelphians have very fine teeth. This is strictly true, and has been mainly owing to the long continued and very excellent practice of Dr. *Hudson*. In another way his superior system of practice has conferred an amount of benefit which can never be fully appreciated. It is that his excellent and highly finished operations have long been models of imitation to other dentists.—For a great many years, to equal his operations has been the highest ambition of other practitioners; none expected to excel them.

Dr. *Hudson* never published much upon dental surgery, but we believe he has left behind him a very valuable body of notes, cases, &c. upon the subject, which will be placed in the hands of his favorite pupil and nephew Dr. *Trenor*, of New York, who is well known as a good writer upon the subject of dental surgery, and will no doubt, from his uncle's notes, and his own extensive knowledge of the subject, furnish at some future period a highly valuable work.

The gentlemanly deportment of Dr. *Hudson* to his patients, and patrons—his urbanity, his mildness, pointed him out as a model to all Surgeons Dentist.

Finally, he ever sustained the dignity and respectability of the profession, inspired confidence in its capabilities, and demonstrated its claims to a high standing among those professions which contribute to the well being and happiness of the human family.

A Surgeon Dentist.

DOYLESTOWN.

Do not turn away gentle reader because we have introduced our goodly village once more to your notice—for it is growing into note, and affords a vast fund of pleasure to him who delights to dwell on scenes "lang syne." Doylestown is associated with numerous interesting incidents; and while we can find enjoyment in listening to the oft repeated stories of those venerable gray heads which surround the village, and who are fast gliding into the dark and narrow tomb, we feel confident that an occasional notice will meet with readers, who, like ourselves, have become interested in its history and welfare.

As far back as the year 1778—a period of near 55 years, there were but two or three log buildings in the place; the oldest of which was occupied and kept as a sort of public house, for the "entertainment of man and horse," and stood nearly or perhaps quite on the site where the handsome new building of Pugh Dungan now stands. No trace of this venerable building was to be observed for a number of years, saving a small cavity which designated the spot occupied by the

cellar, and a well, which has been re-opened by Mr. Dungan. The next was a low log building, which subsequently gave place to the "Mansion House" of Mrs. Magill. These were perhaps the only buildings in the place at that time.

The most particular event which signaled the history of Doylestown, at that period, was the encampment of the American Army, on the night previous to the memorable battle of Monmouth, which took place on the 28th June, 1778. The army was divided into three encampments—the first of which was stationed in the rear of a row of cherry trees that extended westward from the last mentioned building, which was occupied during the night as Head Quarters, and which bore the imposing insignia of "Cakes and Beer." The second was placed near where the Presbyterian church stands,—and the third on the farm of Mr. Callender, about half a mile from the village, on the New Hope road.—The next morning was occupied until near noon before the army and baggage wagons were completely under way, manifesting the old adage that "heavy bodies move slowly;" yet such was the determined spirit of the Americans, that before night they were ready to meet the enemy at Monmouth, after travelling a distance of near sixty miles.

The place soon after this began to manifest the appearance of a village, and received the name of Doyle Town from a family of the name of Doyle, who owned the principal part of the property at the time. Traces of which family still remain in the neighborhood. The name of Doylestown was subsequently registered as the proper name, by which it is generally recognized.

Various are the stories which tradition saith concerning events which subsequently transpired, sufficient perhaps to fill a book of Trollopean dimensions. They may, however, afford an excuse for some future notice.

We pass over the intervening time till we come to the year 1811—12.

Doylestown being situated nearly in the centre of the County, it was judiciously selected as a suitable place for the County buildings, and an application was made for the removal of the Seat of Justice from Newtown, which was granted. This was an important era in the history of Doylestown. Preparations for building were commenced the latter part of the year 1811, and were completed we believe in 1813. They were built of the best materials, and in a superior manner; and are perhaps unequalled by any County "Court House and Jail" in the state. The net amount of erecting the buildings is \$38,057 03½, since which time alterations have been made—the more recent of which were in 1831, when the Court House underwent a thorough repair; the expense of which amounted to \$2,111 74.

Besides the County building we have a Bank, and an Academy in which competent individuals are employed

"To teach the young idea how to shoot,"

and other boarding and day schools for the education of both sexes. We cannot speak too highly of these institutions; as they are of the first order, and are conducted upon a plan which cannot fail to advance the pupils in the different branches of education, and we are glad to perceive they are fast becoming of note. Parents who have children to educate cannot do better than send them to Doylestown. The elevated situation of the village renders the air pure and salubrious, and it is the abode of health.

The village now enumerates about one hundred and two dwelling houses, of all sizes, which show an average increase of near two houses annually since 1778, among which are seven houses for public entertainment. We believe it is in contemplation to erect a new banking house the ensuing year,—this together with several new dwelling now talked of will make quite an addition to its general appearance.—*Doylestown paper.*

In our account of the encampment of General Wash-

ington and his army at Doyleston, an important mistake occurred. We took that part of the account down as it was delivered us by an old man at our elbow, and gave it to our compositors without referring to authority for proper dates. On referring to history on this subject, we find that it must have been on the 23d or 24th, instead of the 27th, that the army left Doylestown, consequently instead of the journey having been performed in one day, it was done in four—the battle of Monmouth took place on the 28th.—*Ib.*

PITTSBURG (Pa.) January 1.

STEAM BOAT MEDITERRANEAN.

We have recently taken several opportunities to visit and view this most substantial and splendid vessel, which now lies at our wharf. As this most noble monument of the taste and skill of our artisans is now completed, and will probably soon depart from our river, never to return, we cannot permit her to go without a notice.

The Mediterranean, we believe we may safely say, is the largest boat of her kind in the United States, or in the world. Her length of keel is 175 feet, and on deck 193 feet, breadth of beam 30 feet, and extreme breadth 60 feet, depth of hold 10 feet 6 inches.

The Ladies' Cabin has connected with it twelve state rooms, each containing two births; and the Gentlemen's Cabin fifty state rooms, each containing two births.—These two cabins are separated only by folding doors, which, when thrown open, exhibit to view one vast and splendid room of one hundred and twenty-four feet in length, in the decoration of which, all the taste and skill of our city has been displayed.

Each state room in the ladies' cabin communicates by doors, both with the cabin and with the spacious guards, and is lighted by panes of brilliant pressed glass, which admit the light, although they exclude vision. In the ladies' cabin, we observed a very pleasing embellishment, which, we believe, has never before been adopted in our western steam boats; we refer to twelve handsome landscapes and other scenes introduced into the panneling between the doors of the state rooms. The gallery of the ladies' cabin is enclosed by folding sashes of window glass, which will protect the fair passengers from the inclemency of the weather, without obstructing their view of the country, by which they are passing. In this gallery, a swing will be suspended, which will afford the ladies exercise and recreation, both much needed in the comparatively long passages on the Ohio and Mississippi.

It would have been a species of madness to have risked so much and costly work upon a hull of moderate solidity. The owners of the Mediterranean have not been guilty of this madness. The hull was built by Samuel Walker, of Elizabeth town, and possesses extraordinary strength.

The engine is one of 320 horse power—was constructed by Messrs. Stackhouse & Thompson, of this city, and we are told that on its first trial, a few days since, it worked to admiration. The Joiner work was executed by Mr. Archibald Mason, of this city. The Mediterranean is owned by Messrs. Knox & M'Kee, of Wheeling, and Messrs. M'Kee, Clarke, & Co. and Captain William Shrodes, of this city, and will be commanded by the latter gentleman.—*Gazette.*

THE COUGAR.—The Cougar is exceedingly tenacious of its food, and rather than relinquish it, will suffer death. Instances of this kind sometimes occur, which the following anecdote from the same author will show.

"About five miles from Phillipsburg, Centre county, Pennsylvania, Mr. Mitchell on the 8th December 1825, shot at a buck, and wounded him on the shoulder. He followed the animal for some time, and at length perceived him at the distance of forty yards lying with his heels upwards, and a Cougar holding him by the throat.

The hunter discharged his rifle at the Cougar, and shot him through the heart, when this animal relinquished the buck, advanced four or five yards, and fell lifeless. Having again charged his rifle, and believing the Cougar to be dead, Mr. Mitchell, turning towards the wounded buck, was surprised to see another Cougar in the act of pulling down the head, and as it now appeared, the buck had been held down by both Cougars at the moment the first was killed. The body of the buck was between the hunter and the second Cougar, nothing but the head of which was visible. At this Mr. Mitchell levelled his rifle, and the ball entered it at the angle of the eye.—The beast remained still for a few minutes, and then, for the first time, relinquished his hold of the buck, and walked over towards the hunter, who fired his rifle a second time, and shot him in the neighborhood of the heart. At this moment the buck recovered his legs, stumbled over the body of the Cougar, finally extricated himself and ran off. A third discharge of the rifle, pierced the Cougar with another ball, yet he still remained on his feet and it was not until the rifle was again discharged, and a fourth ball driven through the back part of the under jaw, that the animal fell and expired. What is most singular is, that the male should not have relinquished his hold of the buck when the female was killed, but continued in the same position until the ball entered his own head, near the eye. The buck ran near a mile before he was finally overtaken and killed."—*American Rural Sports.*

ANNUAL STATEMENT

OF THE NORTHERN DISPENSARY FOR THE YEAR 1832.

The number of patients remaining under care last year,	24
Admitted since that time,	723
	<hr/> 747
Of whom the number Recovered is	688
Relieved,	19
Irregular,	5
Dead,	25
Remaining under care,	10
	<hr/> 747

RECEIPTS.

Balance in Treasury last year,	\$734 32
Legacy of Sarah Zane, deceased,	51 00
Richard Humphreys,	97 50
Interest of Kensington Loan,	160 00
Mortgage,	42 00
Pennsylvania Loan,	17 67
Income of Will's Legacy,	203 78
Contributions,	291 00
	<hr/> \$1,597 27

EXPENDITURES.

Medicines,	\$205 50
Leeching, Cupping and Bleeding,	267 43
Medical Works,	3 00
Stationary, Printing, &c.	16 50
Apothecary's Salary,	80 00
Collector's Commission,	16 57
Siddall for Survey,	6 00
Investment in Pennsylvania Loan,	730 00
Balance in Treasury,	272 27
	<hr/> \$1,597 27

The public will perceive by the above Report that this Institution imparts extensive benefits to the interesting portion of community for which it was designed, and that the Northern Liberties and adjacent districts owe it their liberal patronage.

The Managers have watched its progress for some years past with heart-felt pleasure, and for the purpose of securing its thorough establishment, still anxiously hope that their fellow citizens will, by their beneficence, enable them to procure a site and erect a building in such a situation as will render it convenient for all the recipients of its benefits.

It is probable that application will shortly be made to the benevolent of the Northern Liberties and Districts for the purpose of procuring sufficient funds to erect or purchase a suitable building when the Managers trust their solicitations will not be made in vain.

Donations or Contributions will be thankfully received by the Apothecary, E. PRYOR, S. E. corner of Green and Front street—by JOSEPH WARNER, Treasurer, Fourth street, next door to Friend's Meeting House, Green street, or by either of the Managers.

JOSEPH S. RILEY, *President*.

January 6, 1833.

From the Philadelphia Gazette.

PROCEEDINGS OF COUNCILS.

Thursday Evening, Jan. 17, 1833.

The subjoined communication from T. W. Morgan, was received, and referred to the Committee on Gas.

To the Select and Common Councils of the City of Philadelphia.

Gentlemen—Observing that the Gas Committee in their report, have founded their calculation on oil at \$1 per gallon, I beg leave to offer a contract to supply the city with the purest New Bedford sperm oil in equal quantities of winter and summer for the term of five years, at 80 cents per gallon to be delivered as heretofore—the summer oil in June and the winter oil in October, for the supply of each year, casks to be returned free of cost.

Respectfully, your ob't. serv't.

THOS. W. MORGAN.

January 11th, 1833.

Messrs. Lewis and Massey presented the two following remonstrances against lighting the city with gas, which were referred to the same committee.

To the Hon. the Select and Common Councils of the city of Philadelphia.

The subscribers, residents of said city, beg leave respectfully to represent, that they consider the plan now in agitation, of lighting the city with gas, as one of a most inexpedient, offensive, and dangerous nature; in saying this, they believe they are fully sustained by the accounts of explosion, loss of life, and great destruction of property, where this mode of lighting has been adopted. We consider gas to be an article as ignitable as gunpowder, and nearly as fatal in its effects. As regards the immense destruction of property, we believe the vast number of fires in New York and other cities may be in a great measure ascribed to this mode of lighting;—the leakage of pipes and carelessness in stopping off the gas, furnish almost daily instances of its fatal effects. And when we consider that this powerful and destructive agent must necessarily be often left to the care of youth, domestics, and careless people, we only wonder that the consequences have not been more appalling: it is also an uncertain light, sometimes suddenly disappearing, and leaving streets and houses in darkness. The waters of the Delaware and Schuylkill, now considered as the most pure and salubrious in the world, as many long voyages have fully tested, must soon experience the deterioration which has reduced the water of the Thames to its present impure and unhealthy state; for no reservoirs will be able to contain the immense fetid drains from such an establishment, and very soon the rivers must be their receptacle, to the destruction of the immense shoal of shad, herring, and other fish with which they abound; the same cause must produce the like effects. Salmon,

smelts, and other fish formerly caught in vast quantities in the Thames, have nearly all disappeared; the constant digging of the streets, the circumstance of the gas pipes, which, at the intersection of each square, must come in contact with the water pipes, are difficulties and evils which we would anxiously avoid.

In conclusion, we earnestly solicit that the present mode of lighting with oil may be continued.

And your petitioners, &c. &c. &c.

To the Hon. the Select and Common Council of the city of Philadelphia.

The following disastrous detail, much abridged, of loss of life and property, &c. occasioned by lighting with gas, has been noted by one individual, whose means of information on this subject has been very limited. There is little doubt, but that an immense amount of accidents, losses, &c. have occurred, the account of which never met the eye of this individual.

Loss of Life by Gas Explosion.—"London, 1826.—"Explosion of one of the gas works; it resembled an earthquake, set fire to the building, and destroyed it and three or four persons lost their lives."—See Poulson's Am. Daily Adv. April 8, 1826.

"Letter from a gentleman in London speaks of the offensiveness of the houses and stores where gas is introduced."

"An Eclipse, New York—Chatham street, within and without left in perfect darkness by an obstruction in the pipes, as well as Chatham Garden Theatre during a performance; the scrambling and confusion in hunting for lamps and candles may well be imagined."

"New York—Great loss by fire: \$50,000 lost by fire, occasioned by the gas not being properly stopped, escaping from the pipe, and igniting at the coal grate."

"London—Destructive fire occasioned by gas: estimated loss £100,000 sterling; originated from a spark falling from a candle among the gas which had not been properly stopped off behind the counter."

"London—Explosions violent and alarming in cellars of houses where the gas had not been introduced from leakage from the street pipes." the

"London—A statement of its injurious effects on health of some individuals."

"New York—The theatre took fire from a flaw in the gas pipe, Nov. 1826."—Poulson's Am. Daily Adv. Dec. 1, 1826.

"At the Masonic Hall, Philadelphia, the building in which gas was manufactured was burnt."—Poulson's Am. Daily Adv. Dec. 4, 1826.

"Thames Tunnel—A bottle of portable gas being broken, the gas ignited and filled the whole tunnel; many of the workmen were dreadfully burnt."—Am. Sentinel, March 2, 1827.

"New York—A shop window in the Arcade set on fire and destroyed by a bottle of Cologne water falling on the gas light."—See United States Gazette, May 5, 1827.

"London—The Royal Theatre, Wellclose Square, destroyed by fire occasioned by the gas not being properly stopped off. Loss £10,000 sterling."—Gent. Mag. April 1826, p. 1, vol. 96, p. 362.

"Examination of fishermen and others by commissioners appointed for the purpose of inquiring into the causes of the impurities of the Thames. Attribute the decrease and annihilation of the fish in the Thames chiefly to the discharges from the Gas Works."—Dem. Press, July 18, 1829.

"London Gas and Thames Fishermen.—It has been ascertained that the trade of the latter is completely ruined by the destruction of the fish from the drain of the noxious matter from the Gas Works into the river. Before the pollution of the water there were taken in each season 3,000 salmon; and some days 50,000 smelts, and other fish in proportion. This season there has been but one solitary salmon caught in the Thames, and that down at Woolwich.

"It is supposed that the Gas Companies will indem-

nify the fishermen in some measure for the loss of their business."—Poulson's Am. Daily Adv. 10th October, 1828.

"The Glasgow Theatre, a very extensive building entirely destroyed, occasioned by the carelessness of a person who had charge of the gas. Loss, over £20,000 sterling."—U. S. Gaz. March 11, 1829.

"New York.—Store 65½ Bowery. Mr. Harrison, a few moments after lighting his gas, the gas receded, burning to the meter in the cellar, and exploded with a noise equal to the discharge of a 12 pounder—filled the cellar with gas, and all in a blaze. At the risk of his life he succeeded in extinguishing the flames, after being much burnt."—U. S. Gaz. Jan. 1, 1830.

"Boston.—Mr. F. an apothecary, on entering his cellar with a lamp, the gas having escaped from a leakage in the pipe, ignited and exploded, totally demolished his bulk window, and injured a person passing by at the time."—U. S. Gaz. Dec. 23, 1830.

Loss of Life by Gas Explosion.—"Covent Garden Theatre—Explosion at Covent Garden Theatre—Four lives have been lost."—Annual Register for 1828, p. 160, chronicle department.

"New York, May 30.—Store corner Broadway and Chamber-street, contents destroyed—valued at \$15,000. Supposed from gas in the rear of front window.

"New York.—Explosion of Gas at Masonic Hall, Nov. 1832—Threw down chandelier, and considerable portion of the ceiling on the company assembled—one severely and many slightly injured."—See Poulson's Am. Daily Adv. Nov. 8, 1832.

"Boston.—At a ball given at a fashionable hotel in that city, the gas lights suddenly disappeared, and left the company in complete darkness and confusion."—See U. S. Gaz. Jan. 8, 1832.

"Sir Humphrey Davy, much injured by inhaling a similar kind of gas."—See Paris's Life of Sir H. Davy.

Loss of Life by Gas Explosion.—"Coburg Theatre—One man instantaneously killed by the explosion of a gasometer."—See Annual Register for 1826, (Sept.) chronicle department, p. 135.

"Explosive Effects of Gas.—A committee of the Royal Society have ascertained that a reservoir of 14,000 cubic feet of gas would be equal to ten barrels of gunpowder, and never less than five."—See U. S. Gaz. Oct. 13, 1832.—(To be continued.)

ACADEMIES.

The following list of academies came too late to be inserted in its proper place on page 50.

The fifty-five Academies are:—

<i>Names.</i>	<i>Dates.</i>	<i>Names.</i>	<i>Dates.</i>
Germantown,	1784	Venango,	1812
Pittsburg,	1787	Delaware,	1813
Episcopal of Philadel-	1787	Beachwoods,	1813
phia,	1788	Franklin,	1813
Reading,	1788	Athens,	1813
Newtown,	1790	Orwigsburg,	1813
York,	1799	Allentown,	1813
Chambersburg,	1799	Indiana,	1814
Beaver,	1803	Stroudsburg,	1814
Northumberland,	1804	Lewistown,	1814
Norristown,	1804	Lebanon,	1816
Easton,	1805	Huntingdon,	1816
Bellefonte,	1805	Susquehanna, (Mont-	
Greensburg,	1806	rose.)	1816
Wilkesbarre,	1807	Wellsborough,	1817
Meadville,	1807	Danville,	1818
Harrisburg,	1809	Ebensburg,	1819
Greensburg,	1810	Kittaning,	1821
Somerset,	1810	Warren,	1822
Gettysburg,	1810	Strasburg,	1823
Bedford,	1810	Clearfield,	1827
Green,	1810	Milford,	1827
Butler,	1810	Mifflinsburg,	1827

Chester,	1811	Union, (Doylestown.)	1827
Mercer,	1811	Lancaster county,	1827
Williamsport,	1811	Smethport,	1829
Erie,	1811	Le Raysville,	1830
Waterford,	1811	Dundaff,	1830
Loller, (Hatborough.)	1812		

The two Universities are:

<i>Established.</i>	<i>Established.</i>
University of Pennsylv-	Western University, 1820
vania, 1755	

The eight Colleges are:

<i>Established.</i>	<i>Established.</i>
Dickinson, (closed.)	Allegheny, (closed.)
1783	1815
Franklin, (closed.)	La Fayette,
1787	1826
Jefferson,	Madison,
1802	1827
Washington,	Pennsylvania,
1806	1832

THE REGISTER.

PHILADELPHIA, JANUARY 26, 1833.

In the present number are terminated Mr. Johnson's remarks on Education—and an interesting sketch is given of the system pursued in the state of New York, which may perhaps afford some useful hints.

We commence also this week, an important opinion, in relation to the controversy between the City and the Schuylkill Navigation Company, which it will be seen is at variance with that of the city Solicitor, published in our last volume.

The low state of the Treasury of the Widow's and Indigent Women's Society, will not, we hope, pass unnoticed. It is one of the most useful of our public institutions.

The Schuylkill river at the beginning of the week was frozen, so as to permit skating upon it: and the navigation of the Delaware was for a few days obstructed by floating ice. On the 21st and 22d, the mildness of the weather, accompanied as it was, by remarkably dense fogs—continuing for the greater part of the day—caused the obstructions in the rivers to disappear. Throughout the week, the weather has been mild, though damp. Heavy rain accompanied by high winds on the night of the 24th.

A letter from Mr. Friedlander on the education of the Blind, is inserted this week. Measures are in progress to form an establishment for that object in the city. The tables heretofore promised, will, we hope, be in readiness for the next number. They have been thus long delayed, in consequence of the wide field for investigation which has gradually developed itself as we proceeded in their preparation. Some interesting facts, will, we think, be elicited.

A very large meeting "of the friends of domestic industry," was held on Thursday at the Musical Fund Hall—proceedings in our next.

REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

VOL. XI.—NO. 5. PHILADELPHIA, FEBRUARY 2, 1833. NO. 266.

THE SCHUYLKILL NAVIGATION COMPANY.

Opinion of Counsel, on the right of The Schuylkill Navigation Company to make another Lock and Canal for the use of the Navigation at the Fair Mount Dam.

(Concluded from page 55.)

The last agreement between the parties, and upon which the questions referred to us are supposed mainly to depend for their answers, is that which bears date the 14th June, 1824. Almost every part of this instrument may be considered material to the present inquiry. It begins with the following recitals:

"Whereas, in and by certain articles of agreement made and concluded between the said parties, and bearing date the 3d day of June, 1819, the said President, Managers and Company of the Schuylkill Navigation Company, did grant to the said Mayor, Aldermen and Citizens of Philadelphia the right, and they, the said Mayor, Aldermen and Citizens of Philadelphia, did agree to erect a dam across the river Schuylkill, at Fair Mount, of the height, and in the manner in the said articles set forth, and that the said Mayor, Aldermen and Citizens of Philadelphia should have the use of the water of the said river to the extent in the said articles limited and declared. And whereas, in and by the same articles, it was agreed that the said Mayor, Aldermen and Citizens of Philadelphia should make and build a certain guard-lock, chamber-locks, and canal, and the same, together with sufficient and suitable ground adjoining the said locks, whercon to erect a convenient toll-house, should deliver over and put into possession of the said Schuylkill Navigation Company, to be and remain their property for ever. And whereas, in and by the same articles, it was covenanted and agreed, that the said Mayor, Aldermen and Citizens of Philadelphia and their successors, should not lease or dispose of any water-power of the said river Schuylkill, nor use the water-power in the said articles referred to for manufacturing purposes, except only for boring pipes, pumps, and such other matters and things as might be useful to and connected with the public works of the said Mayor, Aldermen and Citizens of Philadelphia therein referred to. And whereas, in and by certain other articles of agreement between the said parties, bearing date the 20th day of July, 1820, the said President, Managers and Company of the Schuylkill Navigation Company, did grant to the said Mayor, Aldermen and Citizens of Philadelphia, the right to raise the said dam at Fair Mount, eighteen inches additional height, and to use, exercise and enjoy all the rights and powers of the said Navigation Company for the erection of the same, as fully as if therein particularly and distinctly repeated, saving and excepting only such as might relate to the height of the said dam, and the elevation of the waters to be caused thereby, as, in

and by the said two articles of agreement, remaining of record in the office of the recorder of deeds, &c. in and for the city and county of Philadelphia, in Deed Book M. R. No. 23, &c. And whereas the said Mayor, Aldermen and Citizens of Philadelphia have, since the date of the said articles of agreement and by virtue thereof, erected a dam across the river Schuylkill at Fair Mount, and also have caused to be made and built, a guard-lock, chamber-locks and canal, and have put the same into possession of the Schuylkill Navigation Company, together with sufficient and suitable ground for a toll-house adjoining the said locks. And whereas the said parties have come to a new arrangement in regard to the water-power of the said dam at Fair Mount, and to the management of the said locks and canal, it being agreed and intended that the said Mayor, Aldermen and Citizens of Philadelphia, for the consideration hereafter mentioned, shall have the full, absolute and uncontrolled use and enjoyment of the whole water and water-power of the river Schuylkill, at the said dam at Fair Mount, without any restrictions or reservations whatever, *saving only the reservation of so much thereof, as may be necessary for the purpose of the navigation of the said river, as in the said articles of agreement first and herein recited, is provided;* and shall also have charge of the said locks and canal, under the superintendence of the said President, Managers and Company of the Schuylkill Navigation Company as hereinafter particularly is set forth."

These are all the recitals in the agreement of 14th June, 1824, and it is proper to be remarked, that they consist of three parts; *first*, a statement of so much of the contracts of the 3d June, 1819, and 20th July, 1820, as properly introduces the recital of performance of its engagements by the city, and no more; *secondly*, a statement of *one* of the restraints in those instruments upon the use of the water-power by the city, and not of the other; that is to say, it recites the restraint upon the power to lease or dispose of any water-power, or to use it for manufacturing purposes, except only for boring pipes, pumps, and such other matters and things as might be useful to, and connected with the public works of the city; but it says nothing upon the prohibition to reduce the water or keep it reduced below the dam, because the agreement was not intended to effect it; and *thirdly*, a statement of the new agreement, which intended that the City should have the full and absolute use and enjoyment of the whole water and water-power of the river at the dam at Fair Mount, without any restrictions or reservations whatever, *saving only the reservation of so much thereof, as might be necessary for the purpose of the navigation of the river, "as in the said articles of agreement first and herein recited is provided,"* and which further intended to place the locks and canal referred to, in charge of the city, *under the superintendence of the company.*

If these recitals are taken as the key to the meaning of the new agreement which follows, they show, in our opinion,

1. That it was the intention of the parties, by this new agreement, to remove the restriction upon the sale, lease and disposition of the water-power by the city, and that also upon its use for manufacturing purposes.

2. That it was not the intention of the parties, but expressly contrary thereto, to alter, abridge or affect in any way, the right of water and water-power, reserved to the Navigation Company by the articles of 3d June, 1819. The restriction upon the rights of the city, to the whole extent of that reservation, "*as in the said articles of agreement is provided,*" is in the last recital expressly repeated; and the reference to the reservation, as it is provided in those articles, was as effectual a saving of that right, in substance and in form, as if it had repeated the agreement, that the Navigation Company were at all times to draw off as much water as they might deem necessary for the navigation, the city being left to enjoy the remainder without any restrictions, provided they did not at any time reduce it or keep it reduced, below the level of the surface or top of the dam.

3. That it was not intended to alter, abridge, or in any way affect the discretion of the company, as to the manner in which they should use the reserved water and water-power, whether by one or more canals, or by one or more sets of locks, or by any other device which might be presented to their choice. The manner of the use *by the company*, and the extent of it, were not the subject of the new agreement, but only the manner of the use *by the city*. The former were to remain as they were before, under the articles of June 3, 1819. This is expressly recited. The latter was to be enlarged, so as to get above the only restriction in those articles which the new agreement recites.

4. That it was the intention of the parties to place the canal and locks referred to in the articles of June 3, 1819, (and which the city had constructed) under the charge of the city, *subject to the superintendence of the company*, but whether for the benefit of the one or of the other, or both, may at present be supposed to be doubtful.

5. That it was not the intention of the parties to provide for the charge or management of any future canal or locks, nor to make provision for or against their erection, concerning which there is not in the recital a single expression negative or affirmative, nor, as far as we have been able to discover, a single implication one way or the other from what is expressed. The subject is in the recitals left altogether out of view.

If then any doubtful expressions of the agreement which follows, should be thought directly to oppose the intention and purpose so clearly set forth in these recitals, it would accord with well settled canons of legal interpretation to qualify or restrain them by the recitals, and even to strike them out altogether. But we perceive nothing in the agreement which calls for the application of such rules.

After thus stating the purpose of the new agreement, the articles of the 14th June, 1824, proceed to state, that the President, Managers and Company of the Schuylkill Navigation Company, in consideration of the sum of twenty-six thousand dollars to them in hand paid by the Mayor, Aldermen and Citizens of Philadelphia, and also for the further consideration thereafter mentioned, covenant, promise and agree, to and with the Mayor, Aldermen and Citizens of Philadelphia, in manner following, that is to say,

"The said, the President, Managers and Company of the Schuylkill Navigation Company, do hereby, for themselves and their successors, covenant and agree, that the said, the Mayor, Aldermen and Citizens of Philadelphia, and their successors, shall henceforward and for ever have, hold, take, use and enjoy the whole water and water-power of the river Schuylkill at Fair Mount, that shall remain after drawing off from the dam there erected, so much as may be necessary for the purpose of the navigation of the said river, canal and locks, without any restriction or reservation whatever, and that it shall and may be lawful to and for the said Mayor, Aldermen and Citizens of Philadelphia, and their successors, to lease, sell or dispose of the said

water-power, and to use the same and every or any part thereof, for any and every purpose whatsoever, without any let or hindrance by the said, the President, Managers and Company of the Schuylkill Navigation Company or their successors, for or by reason or under pretence of any restriction contained in the articles of agreement, herein before recited, or either of them."

It is in this clause that is supposed to be found the right of the city to the unrestrained use of all the water and water-power of the river at Fair Mount, that shall remain after drawing off an adequate supply for the *present canal and locks*; and the right is supposed to be given by the words "so much as may be necessary for the purpose of the navigation of the said river, canal and locks." To this interpretation we find it impossible to assent, and for the following reasons:

1. Because we think, as has been shown, that such a stipulation would transcend the power of the Navigation Company, it being their duty to reserve what shall at all times be sufficient for the navigation, and not merely for a particular canal and locks. The fifteenth section of the charter qualifies the right of the Company to dispose of the water-power, by the proviso that it be so done, that it shall not at any time, impede or interrupt the navigation. It is not, consequently, a compliance with the proviso, to stipulate for sufficient water to satisfy merely the *present* demands of the navigation.

2. Because such an interpretation is directly opposed to the recitals, which declare that the intention of the new agreement, was to save to the company the reservation of so much as should be necessary for the navigation of the river according to the provision in the agreement of June 3, 1819, that is to say, generally, without any limitation whatever to the present or any other canal or locks in particular.

3. Because in the agreement of June 3, 1819, and in the recitals and every other part of this agreement, except the clause now under consideration, the words "*necessary for the purpose of the navigation of the river,*" are used to comprehend the navigation of the river in all its parts, as well by canals and locks as by the main channel, otherwise the reservation recited to have been made by the articles of June 3, 1819, is an absurdity, as it does not mention the use of the water of the river, either for canals or locks; and if it is used in that sense in former agreements, and in the recitals, and in other parts of the present agreement, there is no sufficient reason for changing the meaning of the words in this place, so as to distinguish the use of the water in the main stream of the river from its use in canals or locks. The words *navigation of the river*, in all other places, mean the navigation in all its parts. They mean nothing else in this place, when joined with words descriptive of certain of those parts. What is necessary for the purpose of the navigation of the river, canal and locks, cannot be less than what is necessary for the navigation of the river.

That other parts of the agreement use the words in the sense to which we have adverted, will be found clear by inspection.

After the clause in question, immediately follows a grant by the company to the city, of all the rights of water and water-power intended to be embraced by this instrument, and it is in the following terms:

"And they, the said the President, Managers and Company of the Schuylkill Navigation Company, do, by these presents, and for the consideration before mentioned, grant, bargain and sell to the Mayor, Aldermen and Citizens of Philadelphia, and their successors, the whole water-power of the said river produced by the dam at Fair Mount, and the use of the whole water at the said river at Fair Mount aforesaid, that shall remain after drawing off as aforesaid, what shall be necessary for the purpose of the navigation of the said river, to have and to hold the same unto them and to their successors for ever, to and for their own proper and unlimited

use and behoof forever: and they do hereby remise and release to the said, the Mayor, Aldermen and Citizens of Philadelphia, so much of any covenant, promise or agreement on their part, in the said articles of agreement before recited or either of them contained, as shall or may be construed to retain or limit the use of the said water or water-power, in any other way or manner, than as is herein contained and set forth. It being nevertheless, the true intent and meaning of the parties to these presents, that the said, the Mayor, Aldermen and Citizens of Philadelphia, shall only have such use of the said water, as with the use thereof, for the purpose of the navigation aforesaid, will not reduce it below the surface or top of the said dam or keep it so reduced."

It is manifest from this clause, that the water-power granted by this instrument, was that which should remain after drawing off what should be "necessary for the purpose of the navigation of the said river" generally, and not what should be necessary for only the present canal and locks; and therefore that the agreement before stated, did not mean to give to the city a greater remainder. If the preceding agreement embraced more or was qualified by a reservation of less to the company, it follows that the company actually granted less than it agreed to grant, and reserved more by the grant than it did by the agreement, which is too unreasonable to be imputed. They must be understood to mean the same thing: If indeed there is such a repugnance between the grant and the agreement to grant, that it cannot be explained away, and if the former corresponds with the recitals; and the latter does not, it cannot, we think, admit of a doubt, that the latter must give way, and that the former must be adopted as the true meaning of the instrument.

Another reason for rejecting this interpretation is, that it is apparent, from the agreement and from the grant, as well as from the recitals, that no less water and water-power were to be reserved to the company, and no more was to be granted to the city by this, than by the former agreement, but merely a restriction was to be taken off from the sale, lease, disposition and use of what had been granted to the city by the agreement of June 3, 1819.

This, we think, was the exclusive object of the provisions, in regard to water-power. The words *canal and locks* added to the words *navigation of the river*, are a mere pleonasm, not unusual in legal instruments, in which we often see words descriptive of the parts of the premises, introduced after words which effectually describe the whole. There is nothing in any part of this instrument which negatives the right of the company to make another canal and set of locks, in addition to the present, or, if they see fit, to destroy these and substitute others; and it is wholly immaterial to the city whether they do or not, since the company are entitled to use what is necessary for the purpose of the navigation, and it must be a matter of indifference to the city, by what canals or locks that quantity is used. If, indeed, the design is to deprive the navigation of what is necessary, by limiting the enjoyment of it to an insufficient canal and locks, then it may be material to confine the company to the present canal and locks, not because the navigation is not impeded or interrupted by such a supply of water as they furnish, but because it is. Such a design, we have already remarked, would be defeated by the charter, however distinctly it might be announced.

It may perhaps be alleged, that even if the company shall have the right of drawing water through one or more canals and locks, yet still they are confined to what is actually necessary for the purposes of the navigation, and that an additional canal and locks are not necessary at present. To this we reply, that as to the matter of fact, we have no opinion to express. An additional canal and lock may or may not be necessary, in the judgment of different persons, to prevent the navigation

from being impeded or interrupted: but we are of opinion, without doubt, that of this question, the legislature of the commonwealth have made the corporation the judges; that the corporation have no right to surrender this exercise of judgment to the city,—and that the agreement of 3d June, 1819, which stands unaltered on this point by the last agreement, shows that they have not surrendered it, but, on the contrary, have expressly reserved it.

Upon the whole, we are clearly of opinion, in answer to two of the questions proposed to us,

1. That there is nothing in any of all the agreements referred to, which deprives the Schuylkill Navigation Company of the right to draw such a quantity of water from the dam at Fair Mount, as they may deem necessary for the purpose of the navigation of the river, and to prevent its being impeded or interrupted.

2. That for the same end and object, the Company have a right to build another lock, and canal leading to and from it at Fair Mount.

For an answer to the remaining question submitted to us, we must resort to other parts of the agreement of the 14th June, 1824.

It will be recollected, that the consideration on the part of the Company, for its grants and covenants to and with the city, is recited to be the sum of twenty-six thousand dollars, to them in hand paid by the city, and also the "further consideration thereafter mentioned." No further consideration moving towards the Company is to be found in the subsequent parts of the agreement, except in the covenant by the city, at their own expense to assume the charge of the locks at Fair Mount dam, under the superintendence of the Company. After the agreement and grant of the unrestricted surplus water-power, the instrument proceeds to set forth an acknowledgement by the Company, that the locks, canal, and sufficient ground for the toll-house, had been delivered over and put into their hands by the city; and a covenant by the Company, that the locks at Fair Mount should not be a place for collecting tolls on boats that pass the locks at Flat Rock; and then comes the following covenant by the city, in regard to the charge of the Fair Mount locks:

"And it is further agreed by and between the parties to these presents, that they, the Mayor, Aldermen, and Citizens of Philadelphia, shall and will have and take charge of the locks and canal aforesaid at Fair Mount, and at all times hereafter for ever cause the same to be well and faithfully attended, and kept in good order and repair at the proper expense of the said Mayor, Aldermen, and Citizens of Philadelphia; and that they, the said Mayor, Aldermen, and Citizens of Philadelphia, will cause such tolls as may be fixed by the said President, Managers, and Company, not exceeding the tolls payable by law on boats, arks, or other things passing the said locks at Fair Mount, (excepting such boats, arks, and other things as have passed the locks at Flat Rock, or shall be destined to pass the said locks at Flat Rock, on the then trip or passage) to be collected and paid over to the said President, Managers, and Company without charge. Provided, always, and the said The President, Managers, and Company of the Schuylkill Navigation Company, do hereby covenant and agree to and with the said Mayor, Aldermen, and Citizens of Philadelphia, that the boats, arks, rafts, and other things, the property of the said The Mayor, Aldermen, and Citizens of Philadelphia, or in their employment or use at all times hereafter for ever, shall pass and repass in, through, and out of the said locks and canal at Fair Mount, in ascending and descending the said river, without payment of any toll or charge whatever. Provided, also, nevertheless, and it is the true intent and meaning of these presents, that the said The President, Managers, and Company of the Schuylkill Navigation Company, shall and they do hereby retain the right of superintending the management of the said locks and canal, and the collection of the said tolls by the Mayor, Aldermen, and Citizens of Philadelphia, or their

agents or servants; and that they shall be and are hereby authorized and empowered, at the expense of the said Mayor, Aldermen, and Citizens of Philadelphia, to remove any obstructions, and make any repairs which, according to the true intent of these presents, or the said recited agreements, the said Mayor, Aldermen, and Citizens of Philadelphia are bound, and shall, after reasonable notice, neglect to remove and make. And, Provided, further, that the said The Mayor, Aldermen, and Citizens of Philadelphia shall, notwithstanding these presents, or any thing contained therein, be and continue bound and obliged to execute and perform all such matters and things as are stipulated by them to be done or performed in and by any prior agreement or agreements made between them and the said The President, Managers, and Company of the Schuylkill Navigation Company, and which shall or still remain in any manner unperformed or incomplete, if any such there be. And it is also further agreed by the parties to these presents, that should it at any time happen that the water should be drawn off below the top or surface of the dam, it shall be lawful for the said President, Managers, and Company to fasten up the gates or openings used by the said Mayor, Aldermen, and Citizens of Philadelphia, to draw off the water, and keep the same fastened until the water shall be raised as high as the top or surface of the dam; and they, the said The President, Managers, and Company of the Schuylkill Navigation Company, do finally covenant, promise, and agree, to and with the Mayor, Aldermen, and Citizens of Philadelphia, to put them forthwith in possession of the said locks and canal at Fair Mount, and of the toll-house and ground thereto adjacent and annexed, to the end that the said Mayor, Aldermen, and Citizens of Philadelphia may forthwith enter upon the execution of their covenants in this behalf as aforesaid."

So far then as the agreement itself explains the motive or object of the parties, in placing upon the city the burthen of attending and repairing the locks and canal at Fair Mount, it was exclusively the motive or object of gain to the Company, and not to the city, the undertaking by the city to perform this duty, being that *further consideration*, in addition to the sum of twenty-six thousand dollars, which the agreement recites, for the grants and agreements it contains on the part of the Company. The City, probably, expected to derive an advantage from the possession of the locks and canal, and it might have been deemed equivalent to the responsibility and expense of attending and repairing them; but it is clear, from the agreement, that the Navigation Company regarded the performance of this duty by the City, as a part of the price of the unrestricted surplus power, and that there is no clause in the instrument which declares that the City shall have the right to continue the possession of the locks and canal against the will or order of the Company, so as under no circumstances to be removed therefrom, or that the possession is given to them with a view to the exercise of any right on the part of the City. On the contrary, the final clause of the agreement, is a covenant by the Company, to put the City in the possession of the said locks, canal, and toll-house, and ground thereto adjacent, that the City "may forthwith enter upon the execution of their covenants in this behalf."

Under this view, we entertain the opinion, that it would be competent for the Company to release and discharge the City from this covenant, and to enter upon the personal possession of that which still undoubtedly belongs to the Company as their property.

But this position need not be sustained by any further remarks, since we do not think it necessarily enters into the consideration of the final question proposed to us. The canal, and locks, and toll-house, and the ground adjacent, belong to the Company as their property, and are possessed by the City as the agents of the Company, and subject to the right of *superintendence*, which the Company have retained by the express

terms of the instrument. This is, indeed, no more than the Company were bound by their charter to retain. An omission to retain it expressly, would have had no effect, as the charter would, by necessary implication, have supplied the power. An express surrender of superintendence by the Company to the City, would have been void; it would have been an illegal abandonment of part of the navigation of the river Schuylkill to another body. The right of superintendence, however, as well by reservation as by charter, remains without doubt, and the question is, what is its effect.

We conceive the superintendence by the Company over these locks and canal, to be as full and effectual as over any other canal and locks belonging to them. It cannot be less by the agreement, for less than this would be contrary to the charter. It is sufficient that the agreement does not purport in any way to abridge it. If the true interpretation of the agreement be, (which we think it is not,) that the City have at all times the *right* to attend to and repair them, whether the Company shall release the covenant or not, still the time and circumstances of repair and attendance must be regulated according to the direction of the Company. The Company might, in our opinion, stop the locks altogether, without interfering with any right of the City, since the only right asserted is that of preventing a waste of water by the locks. The Company may, we think, direct the removal of the toll-house, or the removal of the lock-keeper, when it is necessary to the prosecution of the works of the navigation. Superintendence means this in regard to all the other locks and canals of the Company, and it means the same as to these at Fair Mount. If the Company must act upon the City in the first instance, and not upon the actual lock-keeper, still it would be the duty of the City to do what in the course of its superintendence the Company should direct as to opening or closing the locks, or the removal of the toll-house or lock-keeper. But we are of opinion that the Company may, by their corporate powers, act directly upon the subject. This is indispensable to the execution of their charter duties, and the charter gives them adequate powers to enter upon the lands of others, and occupy them for the purpose of the navigation, and certainly they have not less power in regard to that which belongs to them, and the possession of which has been given to another for the benefit of the Company, and subject to their superintendence. The charter knows of no lock-keepers except those which are under the charter, and all such are liable to be summarily removed by the tenth section of the act of 10th April, 1826. The City, though a great corporation, has, nevertheless, assumed the duties of an agency under the charter; and we are of opinion, notwithstanding any stipulations in the agreement of 14th June, 1824, that the officers appointed by the City to perform these duties, are, so far, officers of the Company, and subject to their charter power.

Here, again, the principles stated by us at the outset of this opinion, apply to the interpretation of the clauses which affect the third question, as much as they applied to the others. It was not lawful for the Company to give such control to the City over any of the locks or canals as to take them out of the general charter authority. They are, and must continue, locks and canals of the Navigation Company, subject to the plenary control of the Company, according to the charter. If the agreement says the contrary, it can have no legal effect in this particular. But it ought not to be understood to say so, unless the expressions are too plain to admit of any other interpretation, and we are clearly of opinion that they are not of such a description. On the contrary, the reservation of the right of superintendence is the reservation of every charter right that it has over any other canal or lock belonging to the navigation; and if the removal of the agent be essential to the due exercise of this superintendence, then the Company have the right to remove him.

If it be said that such a right cannot be exercised by the Company directly upon the lock-keeper, because the City is the keeper under the agreement, and the lock-keeper is their servant, we think it a sufficient answer to say, that if the City remove their servant upon the call of the Company, nothing more may be requisite; but if they do not, then the lock-keeper may be proceeded against as the agent of the Company, because he is the servant of those who are the agents of the Company. If the City asserts a right under the agreement to the perpetual possession of the canal and locks, toll-house, and ground at Fair Mount, and that it holds this possession under a personal covenant to attend and repair them, subject to a mere right of the Company to overlook them, and if the duty is not well performed to sue them for it; we are unable to entertain any other opinion upon this head, than that such a right is not imparted by any words in the agreement which we have been able to discover, and if sufficient words were there, in our judgment the provision would have exceeded the authority of the Company, and therefore would not bind their successors. It would take away the *superintendence* from the Company, with whom the charter placed it, and transfer it to a court and jury in a suit to be brought by the Company for damages, thus leaving the trade and navigation, and the Company also, to become the victims of litigation; and it would *impede and interrupt the navigation*, by stipulations for the management of locks and canals and the possession of toll-houses, contained in a transfer of water-power, when it is the express proviso in the fifteenth section of the charter, that every such transfer must be so made as not to produce such an effect. Whether the effect of the transfer of water-power is to impede and interrupt the navigation, by taking too much water, or by giving the transferee a control over the use of what is reserved to the Company, is, in our opinion, the same thing, and consequently liable to the same objection.

In reply to the third question, we are of opinion, that the Navigation Company have the right, if it is necessary, to the erection of another lock and canal at Fair Mount for the purposes of the navigation, and to prevent its being impeded or interrupted, to remove the lock-keeper and the toll-house.

JOHN SERGEANT,
HOR. BINNEY,
CH. CHAUNCEY.

Philadelphia, Dec. 29, 1832.

(For a report of the Watering Committee—some correspondence between the City and Company, and the opinion of the City Solicitor, on the subject of the foregoing controversy—see Vol. X. p. 412.)

From the Philadelphia Gazette.

PROCEEDINGS OF COUNCILS.

Thursday, Jan. 17, 1833.

SELECT COUNCIL.—The following communication from the Treasurer of the Girard Fund was received and the resolution adopted.

Treasurer's Office of the Girard Trust, }
Jan. 17th, 1833 }

To the President and Members of the Select and Common Council.

Gentlemen,—I am informed by the executors of Stephen Girard that they are preparing to hand over to the City Corporation a considerable amount of personal property, which will be done at different periods of time, and that they will in all cases require refunding bonds to be given them on making such payments. To facilitate the Executors in making these intended payments, I respectfully suggest, that your honorable bodies pass a resolution similar, or to the same effect as the following:

Resolved, By the Select and Common Councils of

the City of Philadelphia, that the Mayor of the said city and the Treasurer of the Girard Trust, be and they are hereby authorized from time to time with the approbation of the committee on the Girard Estate, to execute and deliver to the executors of Stephen Girard, refunding bonds on the receipt from the said executors of securities, funds, or monies, on account of the bequests of Stephen Girard to the said city.

All of which are respectfully submitted for your consideration.

BRITAIN COOPER,
Treasurer of the Girard Trust.

Treasurer's Office of the Girard Trust, }
January 14th, 1833. }

To the President and Members of the Select and Common Councils.

Gentlemen: I have the pleasure to inform Councils that the executors of the estate of the late Stephen Girard, Esq. handed over to me, on the 12th instant, the following named personal property, being part of the said estate devised to the corporation.

Certificates for	Par Value	Value at
948 Shares old Bank of the United States,	2,127	2,127
1 do. Courier des Etats Unis, newspaper,	—	—
1 do. Domestic Society,	—	—
22 do. Insurance Company of Pennsylvania,	8,800	11,000
10 do. Bustleton Turnpike Co.	—	—
2 do. Germantown do.	200	95
100 do. Delaware Insurance Co.	4,000	4,200
40 do. Union do.	2,400	2,400
50 do. Philadelphia do.	4,166 67	4,000
10 do. Schuylkill Permanent Bridge,	100	130
4 do. Centre Bridge,	—	—
1 do. Sus. and Lehigh Turnpike Co.	—	—
1 do. Dowingtown and Ephrata Co.	—	—
20 do. Franklin Institute Loan,	1,000	800
2,200 do. Schuylkill Nav. Company,	110,000	264,000
102 do. Chesapeake and Del. Canal.	20,400	10,200
Pennsylvania 5 per cent stock,	870,000	994,418
City 5 per cent,	100,000	113,500
	1,123,593 67	1,406,870

Amounting to \$1,123,593 67 at par value, and to \$1,406,870 as per valuation, for which the Mayor of the City and myself, have executed to them, in the name of the Corporation, a refunding bond, for two millions of dollars, as directed by Councils, I have also given a receipt for this property, in the name of the Mayor, Aldermen, and Citizens of Philadelphia.

Very respectfully your obedient servant,

BRITAIN COOPER,
Treasurer of the Girard Trust.

In pursuance of the 12th section of the Girard ordinance, the President of the Select Council appointed Messrs. Groves, Lippincott, and Neff; and the President of the Common Council, Messrs. Toland, Elliot, and Morris, as the committee to take charge of the lands out of the county of Philadelphia.

Mr. Massey, as chairman of the committee, made the following report and resolution, which were passed by the following vote:

Yeas—Messrs. Eyre, Lewis, Massey, McCredy, Toland, and Wetherill—6.

Nays—Messrs. Groves, Ingersoll, Lippincott, Neff, and Worrell—5.

The Committee appointed to whom was referred the resolution of Councils to inquire whether it is expedient to make any alteration in the salaries of the Mayor, Recorder, City Treasurer, City Clerks, Clerks of Councils, and Messenger to Councils, report:

That they have considered the subject referred to them, and have examined various Ordinances passed in relation to the salaries of these officers, and find that the salary of the Mayor from 1805 to 1816, was 2,000 dollars per annum; from 1816 to 1819, 3,000 dollars, he to be at the expense of Clerk hire, stationary, &c. That from the 1st January 1820, to the present time, it has been 2,000 dollars per annum, and out of that sum he now pays the Clerk hire.

That the salary of the Recorder 1817, was 1,500 dollars; and in 1819, was fixed by the Ordinance at 1,250 dollars; that since the year 1820 he has received from the State Treasurer the sum of 900 dollars, and from the Corporation 600 dollars, making together the sum of 1,500 dollars per annum. This officer received his appointment from the Governor of the state.

That the salary of the City Treasurer from the year 1802 to 1811, was a per centage on all monies received and paid by him, varying from 2,274 dollars, to 3,813 61-100 dollars per annum; averaging during that period the sum of 2,768 80-100 dollars per annum—December 12th 1811, an Ordinance was passed fixing the salary at 2,500 dollars per annum; and it so continued until the 16th December 1819, when an Ordinance was passed fixing the salary at 2,000 dollars, which is now the salary received by him.

That the salary of the City Clerk was fixed by Ordinance in 1811, at 750 dollars per annum, with a perquisite attached for each permit for the use of the Schuylkill water 25 cents. In the year 1818 it was increased to 1,000 dollars per annum, and reduced in 1819, to 800 dollars; in the year 1823 it was increased again by Ordinance to 1,000 dollars per annum, and remains now at that rate.

That the salary of the Clerks of Councils in 1797 was 300 dollars per annum; in 1815 it was increased to 400 dollars, and in 1819 reduced to 300 dollars, in 1824 it was increased to 350 dollars per annum, and that is the present salary.

That the salary of the Messenger of Councils was fixed in 1815 at 225 dollars per annum—there has been no alteration made in his salary since that period.

The committee have deemed it their duty to submit the above information to Councils to enable them to form a correct idea upon the subject. It is well known that the business of the officers of the Corporation has increased in proportion or nearly so, as the population and improvements of the city have, and that the salaries are not at present adequate to the services that each has now to perform—and more especially the office of the Mayor, his salary at present being only 2,000 dollars, out of which he is obliged to pay Clerk hire.

Upon mature deliberation the Committee recommend that the salaries of the above mentioned officers be fixed at the following rates per annum, commencing from 1st January, 1833.

The Mayor 3,000 dollars, the City to allow him besides 500 dollars for Clerk hire.

Recorder 1,100 dollars per annum.

City Treasurer 2,500 dollars per annum.

City Clerk 1,250 per annum.

Clerks of Councils each 400 dollars per annum.

Messenger 300 dollars per annum.

All of which is respectfully submitted.

The Committee offer the following resolution:

Resolved, That the Committee be authorised to report an Ordinance at the next meeting of Councils in conformity to the above Report:

January 17, 1833.

The Select Council in pursuance of the fourth section of the Girard Ordinance, elected Messrs. Lippincott, Eyre, Lewis, and Massey, and the Common Council elected Messrs. Troth, Borie, McMullin and Chandler.

The Select Council, in committee of the whole, passed the ordinance for the management of the Girard College with amendments.

COMMON COUNCIL.—Mr. Gilder presented the following petition, which was referred to the Paving Committee.

To the Select and Common Councils of the city of Philadelphia.

The memorial of the undersigned, respectfully sheweth, that having set a great quantity of curb stone in the city of Philadelphia, in the past year, 1832, in the streets ordered to be paved by Councils, and the owners of several lots of squares in said streets, reside in Europe or other countries, who have agents in this city, to whom I have presented my bills for payment, who have refused paying said bills, alleging that they know of no law or ordinance under which I can recover the same, as being done by the city authorities. I now pray your honourable bodies will take some measures so as to enable me to recover the same. Yours, very respectfully, &c.

MICHAEL McCLOSKEYS.

Philadelphia, Jan. 17th, 1833.

Mr. Morris moved that the Common Council proceed to elect three members as a committee of accounts, to audit the accounts of the Treasurer of the Girard Fund, which was agreed to, and Messrs. Elliott, Gowen, and Yarnell, were elected;—but the Select Council did not concur therein.

Mr. Elliott called up for consideration the ordinance attached to the report of the committee on Markets, which was passed.

Thursday, Jan. 24, 1833.

SELECT COUNCIL.—Mr. Neff presented the following letter from the City Commissioners, which was referred to a joint committee of two members of each Council, and Messrs. Worrell, Neff, R. Toland and Chandler, were appointed the committee.

City Commissioners' Office, }
January 21, 1833. }

To the President and Members of the Select Council.

The City Commissioners respectfully inform Councils upon the representations of some citizens, who complained of the dim light afforded by the common lamps, and offered to provide reflecting lamps at their own expense, provided they would be lighted by the watchmen as heretofore; they have permitted them to be put up in several places, not being aware of the great additional consumption of oil.

As the applications are now becoming numerous for that kind of lamp, they feel unwilling to take further responsibility upon themselves without the sanction of Councils, and therefore respectfully solicit instructions for their future guidance.

Mr. Lippincott presented the annexed memorial, which was referred to the committee on the Girard lands.

To the Select and Common Councils of the city of Philadelphia.

The memorial of the subscribers, owners of land, near and adjoining the Girard lands in Schuylkill county, and at the head of the Little Schuylkill river and rail-road, respectfully sheweth:

That your memorialists feel a community of interests with those of the city of Philadelphia, in the completion of the improvements on the Little Schuylkill river, and are of opinion, that a bill is now pending before the Legislature of Pennsylvania deeply involving those interests, inasmuch as it is proposed thereby to in-

crease the power of the Little Schuylkill Navigation, Rail-road and Coal Company, so as to enable it to exclude the Coal Lands of the city, your memorialists and others from a market for coal upon fair terms, and exonerating the said company from the responsibility of completing their rail-road to the proposed termination in the neighborhood of the city lands. Your memorialists, therefore, respectfully request that Councils will appoint a committee to collect information upon this subject, and report to your bodies, and your memorialists will communicate to the said committee such information as they possess, feeling deeply impressed with the opinion, that Councils will be satisfied that the interests of the city require prompt and full attention to this subject.

Messrs. Massey and Eyre presented two remonstrances against Gas, which were referred to the committee on Gas.

The following communication from the Secretary of the Board of Commissioners of the Girard Estates, was received. A similar one was received from the Treasurer.

To the Select and Common Councils.

Office of the Board of Commissioners' of the Girard Estates.

At a meeting of the Board of Commissioners of the Girard Estates, held January 23d, 1833, it was

Resolved, That application be made to Councils for an appropriation of \$24,500, to meet expenses of the current year, for the following purposes, viz:

Annuities,	\$3,500
Incidental Expenses,	6,000
Taxes and Water-rents,	11,000
Repairs and materials,	4,000

Extract from the Minutes, Jan. 24, 1833.

MORGAN ASH, Secretary.

Mr. Lippincott reported an Ordinance for the same, which was passed.

Mr. Eyre called up for consideration the Ordinance relative to Girard College, which was passed, with amendments. The Common Council ordered it to be printed.

COMMON COUNCIL.—Mr. Morris as chairman of the committee, made the following report and resolution, which were laid on the table.

The committee on the navigation of the river Schuylkill, report:—That after having examined all the documents submitted to them, and given the subject that consideration, which is due to its importance, they are of opinion that an application should be made to the Legislature of the State, for an act to regulate the river Schuylkill, based on the following principles, viz:

1. To authorize the appointment of commissioners who shall have power to determine and fix the wharf lines, and the lines of permanent buildings on both sides of the river Schuylkill, from the dam at Fair Mount to the mouth of the river.

2. That they shall preserve a clear uniform water way, the area of which shall not be less than eight thousand square feet, nor the distance between the wharf lines in any case less than five hundred feet, and that no buildings of a permanent character shall thereafter be erected at a less distance than one hundred and fifty feet from the wharf lines, which shall rise more than two feet above ordinary high water mark.

They therefore offer the following resolution, viz:

Resolved, That the committee on the navigation of the river Schuylkill, be authorized to take all necessary measures to procure the passage by the State Legislature of such an act as will carry into effect the object set forth in the foregoing report.

Mr. Chandler presented the annexed communication, which was referred to the committee on Wills' Legacy.

At a meeting of a number of citizens at the Philosophical Hall, January 21, 1833, to consider the pro-

priety of establishing a *School for the Blind*,—Peter S. Du Ponceau, Esq. was called to the chair, and John Vaughan was appointed secretary.

Mr. Roberts Vaux submitted the following preamble and resolutions, which were adopted.

Benevolent and learned individuals have of late years been successful in devising and applying means for the intellectual instruction of *Blind persons*, which, in addition to teaching them several of the more simple mechanical arts, greatly alleviates their physical privations, and elevates their moral condition.

It is known that in Pennsylvania upwards of 500 individuals labor under the affliction of loss of sight, and that a considerable number of them reside in Philadelphia,—of these many no doubt, would cheerfully pay for instruction, and those who are not of ability to do so, are entitled to assistance, so that all who are objects of sympathy and regard in this respect, may enjoy the valuable opportunity for the cultivation of their minds. With facts and considerations of this kind before us, it may be regarded as a happy circumstance that J. R. Friedlander, well qualified to instruct the Blind, has come to Pennsylvania, and is prepared to devote himself to this important and honorable service in our city. This estimable gentleman has brought with him from Europe testimonials of his private worth, attested by several distinguished characters in his native land; and since his residence here, he has imparted several branches of knowledge to a blind youth, whose proficiency is highly interesting, and fully establishes the practical virtue of the methods of the teacher.

In order therefore to ascertain whether J. R. Friedlander can be employed in the Wills' institution, or in what other way he can be engaged in this useful duty and occupation,

Resolved, That Peter S. Du Ponceau, Roberts Vaux, Joshua F. Fisher, and John Vaughan, be a committee with authority to transmit a copy of the proceedings of this meeting, to the Councils of the city of Philadelphia, and to confer with any members of those bodies who may be charged with the subject of securing the services of J. R. Friedlander.

Resolved, That should it be deemed inexpedient for the city to engage him under the Will's Legacy, then the committee be requested to consider and digest a plan, by which, upon a small scale, an association may be formed and an opportunity afforded for the instruction of Blind persons under his direction, to be supported by pay pupils, and contributions of benevolent citizens for those who cannot afford to pay the expenses for tuition, &c.

Resolved, That the proceedings of this meeting be published in the city papers, signed by the chairman and secretary.

PETER S. DU PONCEAU, Chairman.

JNO. VAUGHAN, Secretary.

Mr. Merrick offered the annexed resolutions, which were adopted.

Resolved, That the commissioners of the Girard Estate be instructed to obtain and report the opinion of counsel on the following points, in relation to the surplus income of the Girard Estate.

1st. Whether it is competent to the City Councils, to expend the surplus revenue of the Girard Estate, (after appropriating all the income specially devised,) in the improvement of the police—improvement of the city property—or the diminution of the taxes—in accordance with the 24th section of the will of Stephen Girard, or

2d. Whether all the income must be reinvested, and accumulated, until it is determined what portion of the state above the two millions specially devised for that object be necessary to carry into effect the 21st section of the said will.

Mr. Morris offered the following resolution, which was passed by the Common Council, and Messrs. Mor-

ris and Smith were appointed the committee on behalf of the Common Council.

Resolved, That a joint committee of two members from each Council, be appointed to inquire into the expediency of adopting a system of settling the accounts of the City Commissioners different from that now practised.

Mr. Morris offered the annexed resolution, which was agreed to by the Common Council, but was not acted on by the Select Council.

Resolved, That the Treasurer of the Girard Trust be directed to pay out of the rents received by him from the property purchased by the late Stephen Girard from Messrs Hollingshead and Platt, the interest now due at the rate of 5 per cent. to George Pepper on a mortgage held by him, whenever the heirs of the said Stephen Girard shall file with said Treasurer, an agreement that the same may be done without prejudice to the interests of the city.

The Common Council concurred in the resolution of the Select Council, relative to the increase of salaries of the different officers, passed by them at their last meeting.

The Common Council adjourned to meet again on Thursday evening next.

TOWN MEETING.

A meeting of the friends of the constitution and of domestic industry, was held at the Musical Fund Hall, on Thursday, the 24th January, pursuant to a call made by more than 3,000 persons of all parties. Notwithstanding the unfavorable state of the weather, from three to four thousand citizens were present. The meeting was organized by calling

The Hon. JOHN SWIFT, Mayor of the city, to the chair.

Joseph Worrell, R. M. Lewis, James Harper, J. S. Riley, Samuel Richards, B. W. Richards, Vice Presidents.

John Scholefield, Charles V. Hagner, Secretaries.

Anthony Laussatt, Esq. rose to offer the resolutions, which he introduced in a very able and eloquent speech, which was perpetually interrupted by applause, and in which he entered largely into the indispensable necessity of protecting the industry of the country, in opposition to the "Bill of Concessions," introduced by Mr. Verplanck, in the House of Representatives. The following preamble and resolutions were unanimously adopted:

Whereas, an alarming and momentous crisis in the affairs of the country has arrived, menacing the integrity of the Union and threatening the subversion of the whole Protective System, by the assertion of principles on the part of South Carolina, not less at variance with the opinions and policy heretofore entertained and pursued by her leading statesmen, than destructive of the great ends and interest for which the constitution was created by the people.

And whereas, among those objects, the power to levy duties on imports, to regulate commerce, and consequently to counteract the injurious restrictions of foreign nations, and thereby to protect domestic industry, was relinquished by the people of the several states, and specially vested in the federal government, and the principle was then solemnly recognized that the constitution and laws of the United States, and all treaties made under its authority should be the supreme law of the land, and that every state should be bound thereby, any thing in its constitution and laws to the contrary notwithstanding. Wherefore,

Resolved, That the ordinance and proceedings of South Carolina, in opposition to the revenue laws, are direct and open violations of the constitution, revolutionary in their character, and treasonable in their designs; and that it therefore concerns the dignity and honor of the nation, that no consideration should be

given by congress to the demands of that state, so long as that ordinance and the proceedings accompanying it remain unrevoked.

Resolved, That the exposition of the true intent and meaning of the constitution contained in the Proclamation of the President of the 10th of December last, meets the cordial approbation of this meeting, though we do not admit the existence of any well founded grievance or special cause of complaint against the tariff on the part of the South, which, on the contrary, derives great and permanent benefit from the large and increasing consumption of their principal staple in the factories of the middle and eastern states. That though the Protective System was intended to operate impartially on all the great interests of the country, and embraces in its ramifications, the shipping, the fisheries, the agricultural productions, especially of the Carolinas, Georgia, and Louisiana, as well as the manufactures of the North, yet from the nature of all general laws, it is utterly impracticable to adapt them in the same degree to every fractional part of the population and territory of the United States.

Resolved, That the important reduction of duties, especially on coarse woolens, made at the last session of congress, was a direct concession to the feelings of the southern states, and to the complaints of South Carolina in particular, and though intended as a compromise, it has neither conciliated her good will, nor abated her pretensions, but, on the contrary, has served only to embolden her demand and encourage a spirit of dictation, which nothing can satisfy short of an entire surrender of the vital principles of all representative governments, that a majority shall govern and a minority acquiesce.

Resolved, As the deliberate conviction of this meeting, that the waning prosperity of which the southern planters of the Atlantic seaboard complain, however contradicted by the annual messages of their governors to the legislature, may be ascribed to an impoverished and less productive soil than that of the new states, and habitual reliance for the means of living, on a class of beings who, from their dependant condition, have no motive to stimulate their industry and economy; that it is less offensive to human pride and more popular to attribute their grievances to the tariff, or the policy of the general government, than to causes arising from their peculiar condition, which recent discussions in the Virginia convention have clearly disclosed—causes which congress has no power to mitigate or remove.

Resolved, That this meeting view with mingled feelings of sorrow and indignation the attempts now making by certain leaders of South Carolina to weaken the bonds of Union under feigned professions of attachment to the constitution, which all their late legislative and official acts tend to nullify and destroy—that the monstrous pretension, that one state can at pleasure constitutionally annul its obligations to the co-states, and secede from a Union which it required the sanction of three-fourths of the whole number to create and perfect; and thus erect itself into a distinct foreign sovereignty independent of the rest; evinces a settled determination to set the general government at defiance, and ought to be met and treated as an act of treason and rebellion.

Resolved, That however the individuals composing this meeting have heretofore differed in some points, they deem it a paramount duty to sacrifice all minor differences on the altar of the Union, and to rally round the executive in maintaining the constitution and laws—that in the actual position of affairs they should regard any reduction or modification of the present untied tariff, as inflicting the most deadly wound that could be aimed at the Union—that reductions made in the face of the menaces of a rebellious state would unquestionably be construed and exultingly proclaimed as concessions extorted by intimidation, and tend to impair the moral power and influence of the government both at home and abroad.

Resolved, That any legislation by the present congress on the Protective System, would be an act of injustice to the people of the middle and eastern states, a large majority of whose representatives have, within a few months, after mature and anxious deliberation, assented to the act of July, 1832, as a measure of conciliation to our complaining brethren of the South, and who, when sacrificing upon the altar of patriotism for the sake of harmony and to preserve the Union, their own opinions of what the interests of their constituents required, confidently expected that this agitating subject would not be again disturbed, at least until the effects of that law upon the industry of the country, and the finances of the government, had been tested by its practical operation.

Resolved, That the Union can only be permanently maintained by that course of legislative policy, which, while it respects the rights of the minority, embraces in its beneficial operation the welfare and interests of the majority of our citizens.

Resolved, That we are opposed to any reduction whatever of the existing protection to the domestic industry of our country, at a time when a severe domestic competition, and the struggle with foreigners for the possession of our own markets, has reduced the value of most manufactures, and of one of our largest agricultural staples, to a point which leaves little or no profit to those engaged in their fabrication or production; but more especially are we opposed to the plan of reduction proposed by the committee of ways and means of the House of Representatives; based as it is upon erroneous estimates of the probable wants of the treasury, and of the probable amount of revenue to be derived from duties upon importations.

Resolved, That the power in the general government to meet the restrictive policy of foreign nations by countervailing regulations has been generally admitted by the advocates of free trade, as well as by most of those who would assign to our constitution the narrowest construction of its authority for levying protecting duties; that this power has received the express sanction of the present national administration, and that the state of Pennsylvania producing only those staples which the restrictions of the manufacturing nations of Europe will not take in exchange for their fabrics, cannot consent to the abandonment of the Protective System: that when those nations will receive the products of her industry—*her bread stuffs, her spirits, her lumber, and her provisions*, at the same relative rates of duty as is now proposed to be laid on their manufactures, *then*, and not till then, will she think the proper time has arrived for her to entertain the question of the expediency of using foreign fabrics in preference to those of the citizens of the U. States who now afford her that market for her agricultural products which she vain seeks abroad.

Resolved, That we are opposed to the bill from the committee of ways and means of the House of Representatives,

Because, It favors the southern at the expense of the northern states, by retaining the present high duties in favor of the sugar of Louisiana, and by admitting clothing for the use of the southern laborers almost free of duty, thereby exempting that part of the population from its just share of the burthens of government.

Because, It sacrifices the interest of the western, middle, and northern states, by destroying the immense investment of their citizens in agriculture and manufactures; and exposes their industry to an unequal contest with foreign competition, springing from the low interest of foreign capital, the low rates of foreign labor, and the excessive over production of the densely populated manufacturing nations of Europe, which, knowing no laws of supply and demand, forces its surplus wherever it can obtain admission.

Because, It sacrifices the lead of Missouri, the hemp of Kentucky, and the various handicraft productions of our mechanics throughout the United States.

Because, It destroys the cotton manufacture by the

admission of fabrics made of foreign cotton, which have for years been prohibited, thereby lessening the consumption of that great American staple, and involving in destruction a large investment of capital, whose annual creation is equal in value to the whole cotton crop of the United States.

Because, While it appears to favor Pennsylvania and the other states interested in the production of iron, by a less reduction of duties on that than on other articles, thereby sowing dissensions amongst the friends of the Protective System—it in reality strikes a vital blow at that great interest, by the admission of the manufactured articles at much lower duties than are levied on the raw material, thus ruining the iron master by depriving him of a market for the produce of his capital and industry, and bringing to poverty a large number of our most industrious mechanics.

Because, It sacrifices the great wool growing interest of so many of the agricultural states, by exposing it to a ruinous competition with the foreign article under the low duty of fifteen per cent., thereby insuring the destruction of those enriching flocks which form so large a part of the wealth of the cultivators of the soil.

Because, It destroys the woolen manufactures, always to be regarded as of national importance, whether for peace or for war—for the want of which the nation suffered so severely during the late contest with Great Britain, and which affords the only market for the most valuable staple of the country.

Because, It denies to our domestic industry even that incidental protection which would arise from collecting the revenue upon such foreign products as directly come in competition with the labor of our own citizens.

Because, While it takes away a large part of the protection heretofore accorded to the products of our domestic industry, by the act of July, 1832, under the plea of lessening the revenue, it actually increases it by imposing duties on teas, coffee, silks, and other articles not produced in this country, which were made free by that law.

Because, Contrary to the explicit recommendation of the national executive, and at variance with the wishes of the people at large, it proposes to raise one-fifth of the means estimated as necessary for the current expenditures of the government from sales of the public domain, instead of looking to the customs alone for the revenue.

Resolved, That however unjust to the *capitalist*, who, under the faith of the government, and under the guarantee of the protective acts of 1816, of 1824, and of 1828, had invested his means in any of the branches of agriculture or manufactures encouraged by those laws, we may deem this withdrawal of protection—we cannot but consider that, in national importance, *his* wrongs sink into insignificance when we contemplate the ruin and desolation which the passage of this bill will produce among those whose only capital is the acquired mechanical skill, and the inventive faculties and physical powers which nature has given them—we mean the *hulwark* of our republic—the *working classes* of our fellow citizens.

Resolved, That in the gratifying pictures of our national prosperity, and of the happiness of the people of these United States, contained in the annual communication to congress of the president and secretary of the treasury, and in the messages of the governors of the several states to their respective legislatures, we find no warrant, and see no reason for a change of the *policy* which has produced these beneficent results. That if the present rates of imposts are likely to produce an excess of revenue beyond the wants of the government, we know of no mode so judiciously calculated to confine it within the prescribed bounds, as the exemption from duty of those foreign products, which we are unable to raise or fabricate—the retention of those protecting duties which now prohibit importations, and the gradual

extension of this policy, till it shall embrace all these articles which we have the capacity to produce or manufacture.

Resolved, That we cordially approve of the principles of national policy contained in the late message of the governor of this state, and of the spirit and sentiments of the resolutions which have just passed its legislature; we take this occasion to declare that the STATE OF PENNSYLVANIA—not surpassed by any of her sisters in her attachment to the Union, yielding to none in the industry and virtue of her citizens, and from her local advantages and inexhaustible resources of agricultural and mineral wealth, inferior to none in her ability to maintain a separate independence, should this free and happy government be dissolved—cannot but view with alarm the proposed abandonment of the protection to her domestic industry, believing, as she does, *that the continuance of this policy, and the perpetuity of the Union, are indissolubly linked together.*

Resolved, That Pennsylvania cannot consent to relinquish her just remuneration for twenty millions of capital expended for roads and canals, undertaken upon the faith of laws passed for the encouragement of manufactures and the promotion of internal trade: the repeal of those laws would perpetuate a burden, without a recompense, upon her people; who, firm in their attachment to the Protective System, look to their senators and representatives in congress at this portentous crisis, and “expect every man to do his duty.”

Resolved, That we earnestly invite our fellow citizens throughout this state, and those who make common cause with us throughout the Union, to unite in public meetings, and to express their sentiments to congress upon the important subjects which have occasioned this assemblage, and commanded its solemn attention.

Resolved, That the proceedings of this meeting be published in all the daily and weekly papers of this city, and in the papers at Washington; that they be forwarded to the President of the United States, and to our senators and representatives in congress, to be laid before that body; and that the chairman, vice presidents, and secretaries be appointed a committee to carry the same into execution.

Mr. Chew addressed the meeting in support of the resolutions.

D. W. Cox next rose to offer the following resolution: Whereas, some of the southern and south-western states of the Union, whose rich products and slave population, render doubtful the expediency of establishing manufactures and the mechanic arts among themselves, have imbibed like doubts and prejudices against a similar policy in reference to their brethren north of the Potomac, where productions are less favored by the restrictions of foreign nations, and who for that reason are compelled to rely on their labor and mechanical skill for their existence and prosperity. Wherefore,

Resolved, That for the purpose of promoting harmony, and removing erroneous prejudices, it be, and hereby is recommended to the Pennsylvania Society for the Encouragement of Manufactures and the Mechanic Arts in this city, and to such other societies as are established for the same purposes in the state aforesaid, respectfully to proffer their services to accompany the President of the United States and any member of the cabinet, whenever it may suit his convenience after the adjournment of congress, on a visit of inspection and examination into the real condition and prospects of the manufacturing establishments in the said states respectively.

At this time an almost unanimous call for D. P. Brown, brought him before the meeting, which he briefly addressed in his most happy manner.

JOHN SWIFT, Chairman.

Vice Presidents—Joseph Worrell, R. M. Lewis, Jas. Harper, J. S. Riley, Samuel Richards, B. W. Richards.
Secretaries—John Scholefield, Charles V. Hagner.

MERCANTILE LIBRARY.

At the eleventh annual meeting of the members of the Mercantile Library Company, held at their rooms, January 10th, 1833.—Matthew L. Bevan, Esq. was appointed chairman, and Jacob B. Lancaster, secretary.

The annual report of the Board of Directors was presented accompanied by the Treasurer's statement of the receipts and expenditures of the past year.

An estimate from Thomas U. Walter of the cost of a suitable building for the accommodation of the company, was laid before the stockholders, together with a plan of the same.

It was unanimously Resolved, That the thanks of the members be presented to the late Board of Directors, and Treasurer for the able and satisfactory performance of the duties of their trust.

MATTHEW L. BEVAN, Chairman.

JACOB B. LANCASTER, Secretary.

Annual Report of the Directors of the Mercantile Library Company.

In again surrendering their trust into the hands of the company, the directors proceed to discharge the duty which the constitution has judiciously imposed by laying before their fellow members the history of the proceedings during the year, together with a view of the present situation and future prospect of this important institution. It will of course be impracticable to give to each of the various topics of interest, more than a partial explanation, but it will be their aim to furnish sufficient details to enable each member to judge how far and how wisely the objects of the company have been pursued.

Among the most prominent, and certainly most important of the duties devolving upon the Board, the past year, was the selection of more commodious apartments for the Library. To accomplish this object, the necessity of which the crowded state of the rooms continually admonishes us, has been a matter of anxious care and continued research. Some of the difficulties attendant upon the purposed change of location, may be gathered from the following facts:—In the first place, to remove from our present situation, eligible as it is in many important respects, for any slight advantage in point of accommodation, seemed very undesirable. The considerable and inevitable expenses resulting from the removal, and fitting up of shelves and other fixtures of the room, the injury to the books, several days exclusion from the use of the Library, together with the minor but perplexing disadvantages of change of location, furnished strong reasons for delay until we could pass into a permanent possession of an establishment decidedly superior and adequate to the probable and progressively increasing demands of our rising institution.

It became in this view at once a favourite object with the Board to procure a suitable lot, and to erect a building for the use of the company. An active committee have had this matter constantly in charge throughout the past year, without being able to fix upon a site which would combine desirableness of location with moderation in price. The extravagant prices at which real estate, in advantageous situations, was held during the former part of the season, and the general commercial embarrassments of the year, discouraging our hopes of those liberal donations upon which, under more favourable circumstances, we could count with moral certainty, have opposed unexpected obstacles in the execution of our project.

The Board have several lots in view, and they have obtained the necessary estimate of expenses, &c., and submit for the inspection of the members with this report, a plan of the structure which they propose to erect as soon as a proper site can be procured.

Another subject which has engaged the attention of the Directors, and one in which the members take a

deep interest, has been the arrangement for suitable lectures, during the present season. This matter attracted the earnest regard of the Board at a very early period of their services; and efforts were made to enlist the aid of several gentlemen during the previous winter, and subsequently during the past winter. So far had they succeeded, that the plan of the courses had been arranged when the imperative, professional, and other engagements of several distinguished gentlemen who had agreed to lecture, prevented its accomplishment.

It is a source of similar congratulation, that so much interest continues to be manifested by the members, in the advantage and prosperity of the library. Our rooms are constantly thronged with zealous and attentive readers, and the number of books which we annually loan amounting the past year to 9585 volumes, is the best evidence of the diffusive character of the benefit it confers. The number of members at present is 550, 82 of whom are subscribers, and 467 stockholders, and the library consists of upwards of 4000 volumes. Thirty-three shares of the stock remain, which, when sold, will complete the number authorized to be issued by the company.

The receipts during the year, including the balance on hand January last, amount to \$1,509 37. The expenditures for the same period have been \$1,436 56, leaving a balance in favour of the company of \$72 81. The revenue of the ensuing year is estimated to exceed somewhat that of the past, and as there will probably be no extraordinary demand upon the treasury, a larger amount than heretofore may be safely applied to the purchase of books. For the various items of receipt and expenditure, as well as a general survey of the financial condition and prospects of the company, you are respectfully referred to the Treasurer's report, where those particulars, are fully developed.

In concluding the eleventh annual report, the Directors cannot but congratulate the members upon the stability which time is daily adding to our favourite Institution, and upon the increasing evidence which every passing year has furnished of the blessings which it sheds over our community. Little of eclat indeed must be expected from the quiet march of such an association as ours, while it yet moves steadily and successfully on in the accomplishment of its destined end. But if untold and unembellished, the healthful influences of the Mercantile Library have not been unfelt blessings; they have conferred characters of manliness and intelligence upon many hundreds of our youth, now fast assuming their stations in the active departments of business, and what is more important, we trust these sources of instruction have assisted in no small degree to imbue their minds with those principles of conscientious and high minded integrity, without which, intelligence is but a curse.

Signed on behalf of the Board, by

THOMAS P. COPE, President.

JOHN WELSH, jr. Secretary.

The following gentlemen were elected Directors for the ensuing year:

Thomas P. Cope,	John Welsh, jr.
Thomas Biddle,	John A. Brown,
Wm. M. Walmsley,	Chas. W. Churchman,
Joseph H. Dulles,	Thomas C. Rockhill,
John M. Atwood,	George W. Edwards,
Algernon S. Roberts,	Wade T. Smith,
John M. Van Harlingen.	

Treasurer—John Fausset.

At a meeting of the Board of Directors held on the 14th inst. Thomas P. Cope was elected President, and John Welsh, jr. Secretary.

LEHIGH COAL AND NAVIGATION COMPANY.

Report of the Board of Managers of the Lehigh Coal and Navigation Company, to the Stockholders, January 4, 1833.

The annual period having arrived when it becomes the duty of the Managers of The Lehigh Coal and Navigation Company to address the stockholders, they beg leave to present them with the following report.

Experience has abundantly shown, that in the construction of canals through the various parts of our country, no precise period can be named, when the uninterrupted use of them may with certainty be calculated upon. This has been verified in the case of the Delaware division of the Pennsylvania Canal.

In our last report we anticipated the full use of that canal during the past season, but, the occurrence of a very unusual ice freshet in the spring, frustrated our hopes, by destroying a considerable portion of the exposed part of the upper section of the canal, which was proved to have been constructed in a very unskilful manner. The repair of this damage occupied much time, and, when effected, the water had become too low to saturate the porous soil over which the canal passed, and fill it to a sufficient depth for navigation. Several feeders were constructed to supply the deficiency, and, it was not until the 23d of July last, that the first boats arrived at Bristol, each loaded with 20 tons of coal. From this time to the end of the season, there was a gradual improvement in the state of the canal. Small breaches, however, occurred in various parts of it, which, together with want of experience in the Lock-keepers, in regulating the water on the different levels, occasioned very vexatious delays to our boatmen. The loading of the boats was gradually increased to 25, 30, 35, 40, 45, and finally to 50 tons, when the navigation was closed for the season by a breach near Easton, on the 2d day of December. We have thus had but a partial use of the Delaware Canal, for a few weeks, near the close of the season, and, during a portion of that time, many of our boatmen refused to go along the line on account of the Cholera, which had carried off a number of the individuals who had been engaged in the repairs. The days of difficulty, we now hope, are passed by. The canal is, we understand, repaired; the porous soil has become nearly saturated, an abundant supply of water secured, and the banks will be sufficiently consolidated, the next season, to admit water for boats carrying 60 to 70 tons. The company is only now placed where it ought to have been in July 1829, when the Lehigh canal was finished, it having been commenced in the same season with the State Canal on the Delaware, which has not half as much lockage, and but half the capacity of the Lehigh canal. To the incomplete state of the Delaware canal alone, are to be attributed our being so long deprived of the interest on our investment, and the commonwealth, of a handsome remuneration for her expenditures on the canal.

These untoward circumstances, obliged us again to have recourse to the old mode of navigation, by arks, at an increased expense and risk—and, instead of the coal being taken on the Delaware canal, under the contracts which were made in the spring, *by the ton*, we had to employ the boatmen on that canal *by the day*. During the suspension of the navigation of the State canal, and the low water on the Delaware river, it was thought prudent to keep the mines regularly at work, and to employ the canal boats, on the Lehigh, in transporting the coal to South Easton, at the head of the State canal. By this arrangement we were enabled to get to market a much larger quantity of coal than would otherwise have been practicable—the canal boats being principally employed after the opening of the State canal, in bringing down the coal which had accumulated at South Easton; and, while the depth of water in the Delaware channels permitted, coal was

transported direct from Mauch Chunk to Philadelphia by means of arks. The delays and the extra handling of the coal, occasioned by the causes above detailed, and the large proportion of the whole quantity that had to be conveyed in arks at a season when the low water prevented their taking full loads, having much reduced the profits of our coal operations, it has been thought expedient by the managers, not to declare a dividend for the past season.

The Lehigh canal has met with very few casualties during the past year, and is now in good order, having been strengthened and improved, where such operations were deemed advisable.

The whole quantity of coal sent from the mines during the year, was 77,292 tons, of which above 6000 tons were unavoidably left at South Easton, in consequence of the last breach in the Delaware canal, where it will be in readiness for early transportation in the spring—the remainder, except about 600 tons on hand in Philadelphia, has been sold. There were sent to market through the Morris canal, upwards of 12,000 tons; this quantity would have been much increased, but, owing principally to defects in the chains at the inclined planes, interruptions occurred in that navigation, and the boats were restricted to loads of 12 to 20 tons. These defects are now in a way to be cured, and we confidently hope to have an extended use of that canal the ensuing season.

The construction of the Delaware and Raritan canal has been very extensively prosecuted during the past year, and the managers of that work anticipate its completion in the ensuing summer. This canal will furnish a sloop navigation to a point on the Delaware canal, about twenty-six miles below Easton.

The Morris canal, and the Delaware and Raritan canal, will present highly advantageous routes for the conveyance of the coal of the Lehigh to a great portion of the state of New Jersey, and will also secure to it a large share of the northern and eastern markets.

The road to market is now open, and our means of supply will be fully adequate to any anticipated demand. The experience of the last year alone, shows the facility we possess of increasing the number of our canal boats; for, were the same forces which were employed in that branch for a portion of the time continued throughout a single season, they would complete a sufficient number to transport 400,000 tons per annum. The mining and rail-road operations can as easily be extended.

We have made contracts for mining and delivering on board the boats during the ensuing season, 100,000 tons of coal from the old mines, and 50,000 tons from the Room Run mines, with a condition to increase those quantities if required, and have also made arrangements to secure the necessary boats for its transportation. The principal difficulty in the extension of the coal business is apprehended from the scarcity of vessels in the coasting trade of Philadelphia. This difficulty will, in a great measure, be obviated, as it regards the Lehigh, by the Morris, and the Delaware, and Raritan canals—we hope, however, that the great demand and the high prices paid for freights during the past year, will induce our enterprising eastern friends to turn their attention to the subject.

The rail-road to the Room Run mines will be in operation as soon as required in the spring. It could readily have been finished the past season, but, as it was not necessary for the business of the year, few hands were employed on it. We believe that it has no superior either in plan or workmanship.

The completion of the Delaware and Morris canals has given a spur to the spirit of improvement, and will shortly develop some of the advantages and capabilities of Mauch Chunk and its vicinity. Sales of town lots at Mauch Chunk and Nesquehoning have been made during the past year to a considerable extent, some of which are already occupied with buildings; and

dwelling houses, stores, &c. are about being built there by enterprising individuals. These improvements are in anticipation, not only of the strictly local trade, but also of a very extensive commerce with the Susquehanna; in the first place by the Herwick turnpike, and ultimately by the projected Nescopeck canal to Berwick, and rail-road to Wilkesbarre.

The construction of the Nescopeck canal will complete the chain of water communication with the Erie canal by the North branch of the Susquehanna, and consequently with the great western waters by the Ohio canal, besides furnishing the cheapest route for the product of four thousand square miles of bituminous coal land on the West branch of the Susquehanna and its branches, to the markets of Philadelphia, New York and Eastern ports.

By a rail-road that is now in completion from the point where the Nescopeck canal will enter the Lehigh at Wright's creek, the distance is but twelve miles to Wilkesbarre, in the rich valley of Wyoming, and the centre of a great coal district. This route would afford the most direct communication between Northern Pennsylvania and the city of Philadelphia.

Notwithstanding the delay in the completion of the Delaware canal at so late a period, has retarded the sale of the lots at South Easton, improvements have already been commenced there by the erection of a saw mill, now in full operation, on a site purchased of the company; and several building lots have also been sold, which will be occupied with houses the ensuing season. The commencement thus made will, we trust, by being an example of the advantages afforded for the erection of manufacturing establishments generally, lead to the occupation of our immense water power at that place—it being most eligibly situated opposite to the thriving town of Easton, and at the junction of the Lehigh canal with the Morris canal leading to New York, and the Delaware canal leading to Philadelphia.

The following freight was transported on the Lehigh canal in 1832, viz:

	Tons.	Cwt.
Coal,	75,937	6
Grain,	907	0
Flour,	2,338	4
Salt,	269	1
Salt fish, beef and pork,	127	3
Beer, porter and cider,	2	15
Other provisions,	9	1
Whiskey,	124	17
Hay and straw,	22	2
Lumber,	2,807	7
Cord wood,	2,457	10
Brick,	25	13
Slate,	488	0
Lime and Limestone,	3,361	13
Other stone, sand and plaster,	645	10
Iron,	431	8
Iron ore,	280	17
Merchandize,	317	2
Total,	90,552	9

Of which amount of tonnage, 6,250—14 was ascending, and 84,301—15 was descending.

The total amount of tolls received on the Lehigh canal exclusive of our own coal, was \$5,417.

The managers would suggest to such of the stockholders as have not already taken the healthy route of Mauch Chunk in their summer excursions, to visit, if practicable, that interesting place. The new and abundant mines at Room Run would be found an attractive curiosity, and, together with the immense mass exposed to view at the old mines, could not fail to give sufficient evidence that the company possess inexhaustible resources for the supply of coal. An inspection of the mines and of the canal improvements, the rail-roads

and other important works, would impress a correct idea of the value, magnitude, and general usefulness of this institution.

By order of the Board of Managers,
JOSEPH WATSON, President.

January 14th, 1833.

OBSTRUCTIONS IN THE SUSQUEHANNAH.

Copy of a letter from Josiah Bayly, Esq. Attorney General, to the Governor of Maryland, relative to the obstructions in the Susquehanna.

CAMBRIDGE, Feb. 27th, 1832.

His excellency the Governor and Council:

The clerk of the council, by the direction of your honorable body, has transmitted to me copies of a resolution, passed at the last session, of the report of commissioners, appointed in pursuance thereof, and of a resolution passed at the present session of the general assembly, relative to certain dams heretofore constructed in the Susquehanna river, within the territorial limits of the state of Pennsylvania, and by her authority, some of which have recently been destroyed. The object of the last resolution is to prevent the re-construction of such as have been destroyed, and for that purpose, the governor is requested forthwith to take such measures as he, by and with the advice and consent of the council, may deem proper and expedient to prevent such re-construction: My opinion and advice are requested.

In the performance of my official duty, I have carefully examined the several documents by which it appears that the claim of Maryland has been urged at different times, on several distinct principles, the law of nations, prescription, compact, and contract within the meaning of the federal constitution, the power of congress to regulate commerce with foreign nations and among the several states, and the grant of the immunities and privileges of citizens of the several states, to the citizens of each state. These principles are irrelevant to this case, and the claim cannot be sustained upon either of them.

Remonstrance to the legislature of Pennsylvania, as heretofore, is, in my opinion, the only proper measure that can be taken. Measures of coercion or of compulsion, cannot with propriety be adopted, or legally enforced. If the right to continue, or to reconstruct the dams shall continue to be asserted and redress refused, there is no remedy. The subject-matter of complaint proceeds from the local regulations enacted by Pennsylvania, in aid of her internal improvements, and cannot be noticed by the judicial tribunals. The exclusive right of sovereign jurisdiction within the territorial limits of a state to enact municipal laws, regulating internal improvements and domestic police, and declaring public highways by land or water, to be opened, obstructed, changed, altered, or improved, is a power reserved to the states, and not inconsistent with the constitution. Maryland and every state of the Union claim, and have exercised the same prerogative. The Pennsylvania acts of 1801 and 1827, which gave rise to the present contest, are of this character, and cannot be judicially impeached.

The power vested in congress to regulate commerce with foreign nations and among the several states, has never been construed to confer any constitutional right to control, impede, prevent, or interfere with the municipal laws, and internal regulations of either foreign nations or of the states. They have been respected and held inviolable.

The clause of the constitution granting to the citizens of each state, the privileges and immunities of the several states, has never been construed to confer any such power or authority, but its construction has been strictly confined to the subject-matter to which it relates, and to none other.

The report of the commissioners admits, that the act

of Pennsylvania, 1801, is not a compact, agreement, or contract within the meaning of the constitution, and that the acts of 1801 and 1827, are constitutional; if so, they are subject to repeal, amendment, or modification, at the will and discretion of the legislative power, and the exercise of such authority cannot be controverted by any judicial tribunal.

The right of a state to those parts of navigable rivers, creeks, or other waters within the territorial bounds of other states, claimed or derived from the law of nations, or by prescription, may be well questioned. If such rights are tenable and can be sustained, why did Maryland and Virginia, in 1785, make a compact upon that subject, and thereby ascertain and establish their respective rights, as may be seen by reference to the act of confirmation, passed at November session, 1785, chap. 1? If the right was sufficient, the compact was unnecessary.

Why has the general government, in admitting new states into the Union, cautiously required and imposed a fundamental provision reserving such rights to the citizens of other states, as the indispensable and unqualified condition of their admission? If the right existed and was valid by the law of nations or by prescription, such provision and indispensable condition would be unnecessary. Congress has thought otherwise.

Why was the Maryland act of 1799, chap. 16, sec. 18, and the act of 1813, passed? If the Susquehanna river in Pennsylvania, was at that time a public highway, these acts were unnecessary, and could give no additional right; but these acts, in connexion with others, incontestably prove, that at that time the river was not navigable, according to the common acceptance of the term, that individuals or bodies corporate, had no authority to remove the natural obstructions impeding the navigation within the limits of Pennsylvania, without her assent—and that a right by the law of nations in prescription, was not claimed or relied on by Maryland. After a careful consideration of the subject, I conclude, that remonstrance to the proper authorities of Pennsylvania, is the only measure; I cannot advise any other. Yours, with the most respectful consideration.

JOSEPH BAYLY.

TARIFF.

At a meeting of the Permanent Committee of the N. York Convention, held in the city of Philadelphia, on the 22d inst. at which members from Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, Delaware, and Maryland were present; amongst their proceedings, the following resolutions were unanimously adopted:

Resolved, That the Permanent Committee view with deep concern the indications of a disposition in many members of the present congress, to pass a bill for the further reduction of the duties on imports.

That they can perceive no manifestations from the people, of dissatisfaction with the act of July, 1832, which not having yet gone into operation, cannot, after the deliberate judgment of congress in passing it, be supposed to be detrimental to the public interest.

That a repeal or suspension of the operation of the act of 1832, at the present time, must have the effect to impair confidence in the stability of the Union, by countenancing, and, in some degree, vindicating, the irregular, unlawful, and revolutionary proceedings, lately adopted by the state of South Carolina, to forbid the execution of that act, within her borders.

That in the opinion of this committee, the manufacturers of this nation would be incapable of sustaining themselves against a competition with British manufacturers, under the circumstances in which the labor of Great Britain is at present employed, and the terms upon which her fabrics would be sent to this country.

That the production of Great Britain being much larger than the demand for it, a considerable portion of

the excess would be sent to the United States, to be sold at prices which, in general, would be far below the costs and charges, and which consequently must prove destructive to a fair competition of the labor of this country, and would inevitably reduce its value in money, to even less than the value of similar labor in other countries.

That a reduction of the duties to the proposed standard must inevitably produce excessive importation, the necessary consequence of which will be to create a large foreign debt, to subtract the specie, derange the currency, prostrate American labor, suspend improvements, and eventually involve the nation in bankruptcy and ruin, thus inflicting even a severer series of disasters upon the nation than those which befel the United States between the years 1816 and 1820.

Further resolved, That the Permanent Committee consider it an unsound principle in the policy of the United States, and destructive of the greatest interests of the nation, to attempt to lessen the revenue by reducing the duties upon articles which may come in competition with the product of our own labor. That the first effect of a reduction of the duties will be to promote large importations, and thus to counteract the design intended by a reduced rate of duty, by bringing the same or a larger amount into the treasury than was before collected on a higher rate.

That as the population of the United States increases, and their wants multiply, it will soon become impossible to maintain a mere revenue system founded upon the lowest rates of duty, without utterly abandoning all pretence of affording American labor protection against foreign competition, or of counteracting injurious foreign restrictions.

That the only proper and expedient method of reducing the revenue, is to lessen the duties on articles not coming in competition with the products of American industry, and to increase the duties upon all other articles to such a rate as shall limit the quantity imported, and thus diminish the revenue to the standard required.

Further resolved, That the Committee are entirely convinced that the bill at present reported to the House of Representatives by their Committee of Ways and Means, is utterly inconsistent with the interests of the American people. That its effect must be to ruin the manufactures of the country, to oppress its agriculture, and greatly injure its commerce; and that it will be immediately and directly subversive of the prosperity of the working classes of the community, by producing a great reduction in the price of wages and the value of labor.

Resolved, That the United States being at this time in the enjoyment of a prosperity unparalleled in their annals—a prosperity equally apparent in every section from North to South—this fact should be deemed sufficient proof of the safety and worth of the policy heretofore pursued by the nation, and that any attempt to change that policy, whilst the country is in its present condition, should be discountenanced as a rash and unadvised experiment upon the happiness of the people, and that such a measure cannot fail to produce the deepest and most serious discontent on the part of the great majority of the people.

Further resolved, That a memorial to congress be prepared, setting forth the principles contained in the above resolutions, and praying that no bill may pass of which the purport may be further to reduce the rates of duties on those articles of foreign manufacture, which come into competition with the domestic productions of the citizens of the United States.

Extracted from the minutes of the Permanent Committee, by order, JOHN P. KENNEDY, Sec.

The bridge over the Schuylkill at Manayunk has been completed.

PASSENGER VESSELS.

In the District Court of the United States for the Eastern District of Pennsylvania.

The United States of America.

vs.

The Dutch ship Louisa Barbara.

This was a suit arising on an information, filed by the Attorney of the United States, against the Dutch ship *Louisa Barbara*, as liable to forfeiture for having on board more passengers than are allowed by the act of congress. The law of 2d March, 1819, (3 Story's Laws, 1722,) declares that "if more than two passengers for every five tons of any vessel according to Custom House measurement, shall be brought into the United States, except the men employed in navigating the vessel, the master and owner shall each forfeit \$150 for every passenger above that number; and if such excess amounts to twenty passengers in the whole, the vessel shall be forfeited."

It appeared in evidence, on the part of the United States, that the *Louisa Barbara* arrived in the port of Philadelphia, on the 8th August, 1832; that the captain presented at the Custom House a report or manifest of all his passengers, amounting, exclusive of "the men employed in navigating the vessel," to one hundred and seventy eight; and that, on a measurement of the vessel by the Custom House officers, she was found to measure three hundred and ninety-three tons 85 95, which would allow her to bring one hundred and fifty-six passengers, twenty-two less than the number actually on board. On these facts the District Attorney contended that the ship ought to be condemned.

It was proved by the claimants that of the one hundred and seventy-eight passengers reported, twelve were in the cabin, nine only of whom paid, and that of the remainder, upwards of forty were children under twelve years of age, and not paying passage money, and that they were well accommodated, and arrived in good health; that the measurement of the vessel, by the Dutch mode, was two hundred and eighteen tons, and that the last was to be taken as two tons, thus making the tonnage by the Dutch rule four hundred and thirty-six tons, and allowing one hundred and seventy-four passengers. On these facts the counsel of the claimants contended that the passengers, such as the act of congress meant, were not more than it allowed; that the spirit of the law was not violated, as they suffered no inconvenience; and that, in fact, according to the foreign measurement, which ought to be adopted, the tonnage of the vessel was so great as not to render her liable to forfeiture.

The case was argued by Mr. Gilpin, District Attorney for the United States, and by Mr. James S. Smith, for the claimants.

A decree was made by Judge Hopkinson, in favor of the United States, and the following able opinion was delivered by him.

The information in this case is founded on the act of congress passed on the 2d of March, 1819, for "regulating passenger ships and vessels." The first section of this law enacts that "if the master or other persons, on board of any ship or vessel, shall take on board of such ship or vessel, at any foreign port or place, or shall bring or convey into the United States, from any foreign port or place, a greater number of passengers than two for every five tons of such ship or vessel, according to the Custom House measurement, the master and owner of such ship shall severally forfeit and pay to the United States the sum of one hundred and fifty dollars for each and every passenger taken on board over and above the said number of two to every five tons. Provided, that nothing in this act shall be taken to apply to the employment of men usually and ordinarily employed in navigating such ship or vessel."

The second section of the act, enacts, that "if the number of passengers so taken on board of said ship or

vessel, or conveyed or brought into the United States, shall exceed the said proportion of two to every five tons of such ship, by the number of twenty passengers, in the whole, every such ship shall be deemed and taken to be forfeited to the United States."

The information or trial is founded on this second section of the act, and claims a forfeiture of the ship on the alleged violation of its provisions.

There is no contrariety of evidence about the facts of this case. The ship *Louisa Barbara* arrived at the port of Philadelphia, on the 8th of August last, having on board one hundred and seventy-eight persons, taken on board at Amsterdam and brought to the United States, not being any part of the compliment of men employed in navigating the ship. On a measurement of the ship, by the proper officers of the Custom House, she was found to contain three hundred and ninety-three tons and 82.95, Custom House measurement of the United States, according to the 64th section of an act of congress, passed on the second of March, 1799, designating the mode of measuring a ship or vessel to ascertain her tonnage. This tonnage would allow the ship to bring to the United States but one hundred and fifty-six passengers, at the rate or proportion of two to every five tons, and of course if the one hundred and seventy-eight persons on board, are to be deemed *passengers*, within the meaning of the law, there was an excess of twenty-two; and as an excess of twenty is sufficient to incur the penalty of forfeiture of the ship, she has become liable to it.

The defence has been mainly rested on the fact that a large portion of the one hundred and twenty persons taken on board, were children who paid nothing for their passages, and cannot therefore be considered or taken to be *passengers* within the intention of the law. The captain has testified that there were twelve persons in the cabin, of whom but nine paid their passages. That there were in the steerage, or between decks, one hundred and sixty-six, of whom but one hundred and twenty-seven paid their passages—that of the children on board 25 were under 5 years of age, 21 from 5 to 10, 14 from 10 to 15, and 17 from 15 to 20. That no passage was paid for those under 12 years of age, nor for those of 12.

An argument, not wanting in plausibility, was urged to show that children, especially those of a very tender age, are not within the object of evil to be prevented by the law, and therefore cannot be taken to be a part of the number of passengers allowed by the law. It was even contended that a passenger, commercially and philologically speaking, is only one who pays for his passage, and, therefore, that none of the persons in this ship who did not pay for their carrying over, were to be taken into the account of the number of passengers on board of this ship, within the meaning of the law.

If we were to make these deductions of children, and unpaid persons on board of a vessel, from the number of her passengers, we should find no warrant for it in the law, and throw the construction of the act into such uncertainty as would render it little better than a nugatory attempt at legislation. In regard to children, we should be obliged to fix the age at which they may not be considered as passengers, within the act; and the question of payment would afterwards be as difficult to settle. The inconvenience and danger to health and life from crowded vessels are the same, whether the persons on board pay or do not pay for their passages; and although it may not be probable, that the owners of vessels will bring passengers for nothing, yet the law may be evaded and defeated by secret artifices and agreements on the subject of compensation for the passage, if it is to be understood that paying passengers only are within the law. The payment would thus become a part of the case of the prosecution, and legal proof would be required of it. The only exception or limitation given by the act of congress, is found

in the provision which declares that it shall not apply to the compliment of men employed to navigate the ship. The phrase is, "shall exceed by the number of twenty passengers *in the whole*," by which I understand, that all persons on board are to be counted; that no exceptions are allowed; but that if, in the whole, that is, all taken, they exceed the limited number, the penalty attaches. The ship's crew are expressly excepted; but no other persons on board.

Another effort was made to withdraw the ship from the penalties of the act. It was said that, if her tonnage is estimated according to the Dutch mode of measurement, the number of passengers on board would not exceed two to every five tons, and the regulations of the act have been strictly complied with. There is considerable uncertainty about the fact here assumed; but the argument founded on it is altogether inadmissible. It is this, that although the act of congress refers for the tonnage of the ship "to Custom House measurement," it does not specify what Custom House measurement is intended; it does not say, "of the United States." It is impossible to imagine that, in the regulation of vessels coming into our own ports, to be entered at our own Custom Houses, to be there examined and inspected by our own officers, that any measurement could be referred to but our own, to ascertain whether they have conformed to our own laws. What did congress know, what can the courts of the United States know, of any other measurement of the tonnage of a vessel, than that prescribed by our laws? If we leave this guide, we shall have a different rule for every vessel that comes into our ports, according to the various modes of measurement that may be used in the various nations of the world. The argument too would be absolutely destructive of the law, for if the measurement of the United States is not to be adopted in the construction of this law, because it is not expressly designated, the same reason will exclude every other measurement, as no one is named.

Although the excess in this case, above the number which incurs a forfeiture of the vessel, is small, the excess over the number allowed by the law is considerable. Whether the circumstance of there being so many children in the number, has misled the owners and captain of the ship, I cannot take into my consideration of the case. It may be a proper question to be ascertained by the department of our government which administers its liberality and mercy, and may forbear to execute the rigor of the law, where it is believed, that its violation has been innocent or excusable. There is no such power here.

IT IS ORDERED AND DECREED, That the ship *Louisa Barbara*, named in the information, be condemned and forfeited to the United States, according to the prayer of the information.

From the Pennsylvania Intelligencer.

STATE TAX.

We invite the attention of the readers of the *Intelligencer* to the following. The first column exhibits the aggregate amount of state tax paid by each county, both on personal and real estate. The second the number of inhabitants according to the new census, and the third the amount paid by each taxable inhabitant in the several counties. We have estimated the number of taxables one-eighth of the population, which may be a little too low, but the proportion will be the same whatever the number may be. The inequality of the public burdens must strike every one at the first glance. Lehigh, with a population of more than 5,000 less than Luzerne, pays three times the tax. Columbia with nearly 2,000 more inhabitants than Northumberland, pays about half the tax—the taxable inhabitants of one county paying *one dollar and four cents* each, and those of the other, *fifty-five cents*! while the county that pays the least, is the

richest. We might point out inequalities in every section of the state, but will leave it to the reader.

<i>Counties.</i>	<i>Tax paid.</i>	<i>Inhabitants.</i>	<i>Paid by each taxable.</i>
Adams,	\$5,439 74	21,379	2 03
Allegheny,	10,003 30	50,552	1 51
Armstrong,	1,209 79	17,701	50
Beaver,	2,651 54	24,183	87
Berks,	14,424 26	53,152	2 20
Bedford,	1,384 91	24,502	43
Bucks,	12,628 90	45,745	2 20
Butler,	1,162 08	14,581	63
Bradford,	1,946 05	19,746	78
Centre,	3,180 48	18,879	1 30
Clearfield,	806 50	4,803	1 34
Columbia,	1,397 69	20,059	55
Chester,	17,870 11	50,910	2 82
Crawford,	1,675 57	16,030	87
Cumberland,	7,799 04	29,226	2 10
Cambria,	439 39	7,076	48
Dauphin,	5,670 64	25,243	1 79
Delaware,	5,189 21	17,323	2 39
Erie,	2,044 22	17,041	99
Fayette,	4,236 26	29,172	1 13
Franklin,	4,900 99	35,037	1 11
Greene,	1,492 09	18,028	66
Huntingdon,	4,467 21	27,145	1 31
Indiana,	1,281 83	14,252	72
Jefferson,	810 12	2,025	3 20
Juniata,	1,626 19	9,069	1 43
Lancaster,	29,376 48	76,611	3 06
Luzerne,	1,878 12	27,379	54
Lehigh,	5,050 11	22,256	1 82
Lycoming,	1,635 69	17,636	73
Lebanon,	6,152 17	20,557	2 39
Mercer,	1,638 49	19,729	66
Mifflin,	1,911 61	12,631	1 21
Montgomery,	9,464 60	39,406	1 92
M'Kean,	665 68	1,439	3 71
Northampton,	10,230 52	39,482	2 07
Northumberland,	2,631 66	18,133	1 04
Philadelphia,	73,554 34	188,797	3 11
Pike,	430 24	4,843	71
Potter,	572 01	1,265	3 71
Perry,	2,084 68	14,261	1 17
Somerset,	1,353 41	17,762	60
Susquehanna,	800 17	16,787	38
Schuylkill,	3,643 12	20,744	1 40
Tioga,	950 57	8,978	84
Union,	3,424 49	20,795	1 30
Venango,	785 60	9,470	66
Washington,	5,489 31	42,784	1 02
Wayne,	1,355 68	7,663	1 40
Warren,	727 60	4,695	1 24
Westmoreland,	4,077 25	38,400	84
York,	9,150 56	42,859	1 70
Total,	\$296,120 28		

Amount of tax on the adjusted valuation of the real and personal property, persons, trades and occupations per act of 25th March, 1831, for the year 1832.

Amount of Tax on Real Estate.

<i>COUNTIES.</i>	<i>COUNTIES.</i>
Adams,	\$4,876 55
Allegheny,	9,673 49
Armstrong,	1,140 99
Beaver,	2,452 48
Berks,	12,510 99
Bedford,	1,180 26
Bucks,	10,023 36
Butler,	1,130 17
Bradford,	1,846 91
Centre,	2,965 27
Clearfield,	784 20
Columbia,	1,312 66
Luzerne,	\$1,552,044
Lehigh,	4,873 27
Lycoming,	1,454 29
Lebanon,	5,280 35
Mercer,	1,532 37
Mifflin,	1,750 08
Montgomery,	6,974 83
M'Kean,	645 82
Northampton,	8,673 09
Northumberland,	2,368 25
Philadelphia,	42,776 32
Pike,	403 90

<i>COUNTIES.</i>	<i>COUNTIES.</i>
Chester,	14,764 71
Crawford,	1,569 94
Cumberland,	7,015 99
Cambria,	467 72
Dauphin,	4,977 59
Delaware,	4,121 22
Erie,	1,844 05
Fayette,	3,717 65
Franklin,	4,154 01
Greene,	1,368 26
Huntingdon,	4,121 99
Indiana,	1,187 52
Jefferson,	791 14
Juniata,	1,563 61
Lancaster,	25,370 65
Potter,	572 01
Perry,	1,987 23
Somerset,	1,144 05
Susquehanna,	668 46
Tioga,	919 36
Schuylkill,	3,221 61
Union,	319 47
Venango,	757 50
Washington,	4,977 30
Wayne,	1,333 21
Warren,	695 63
Westmoreland,	3,820 51
York,	8,809 78
Total,	\$237,264 13

Amount of Tax on the adjusted valuation of Personal Property.

<i>COUNTIES.</i>	<i>COUNTIES.</i>
Adams,	\$563 19
Allegheny,	329 81
Armstrong,	58 80
Beaver,	199 06
Berks,	1,913 27
Bedford,	204 65
Bucks,	2,605 54
Butler,	31 91
Bradford,	99 14
Centre,	215 21
Clearfield,	22 30
Columbia,	85 03
Chester,	3,105 47
Crawford,	105 63
Cumberland,	783 05
Cambria,	31 67
Dauphin,	693 05
Delaware,	1,067 99
Erie,	159 17
Fayette,	518 61
Franklin,	746 98
Greene,	123 83
Huntingdon,	345 22
Indiana,	94 31
Jefferson,	18 98
Juniata,	62 58
Lancaster,	4,005 63
Luzerne,	326 08
Lehigh,	665 84
Lycoming,	181 40
Lebanon,	871 82
Mercer,	106 12
Mifflin,	171 53
Montgomery,	2,489 77
M'Kean,	19 86
Northampton,	1,557 43
Northumberland,	263 41
Philadelphia,	30,778 02
Pike,	26 34
Potter,	00 00
Perry,	97 47
Somerset,	109 36
Susquehanna,	131 71
Tioga,	31 21
Schuylkill,	421 51
Union,	225 02
Venango,	28 10
Washington,	512 01
Wayne,	22 47
Warren,	31 97
Westmoreland,	256 64
York,	1,340 78
Total,	\$237,264 13
	58,856 15
	\$296,120 28

BROWNVILLE, Pa. Dec. 25.

Never before has it been our solemn and impressive duty to announce the death of so many of our citizens in the same space of time. For the last two weeks there has been no less than 14 deaths in this place, and the surrounding country; a mortality heretofore unknown in this healthy section of the Union—and we regret to say, that all our physicians pronounce the disease the spasmodic cholera, of which the greater number have died. Yes, this terror of mankind—this pestilence that carries destruction and death in its train, is now amongst us.

Appointment by the Governor.

ELLIS LEWIS, Esq. of Bradford county, Attorney General.

HISTORICAL SOCIETY OF PENNSYLVANIA.

A Quarterly meeting of the Historical Society of Pennsylvania, will be held at the Philosophical Hall over the Athenaeum, on Monday the 4th instant, at 7 o'clock in the evening.

J. R. TYSON, Secretary.

HAZARD'S REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

VOL. XI.—NO. 6. PHILADELPHIA, FEBRUARY 9, 1833. NO. 267.

BLIND PERSONS IN THE UNITED STATES AND PENNSYLVANIA.

Table showing the number of blind in the United States; also, the relative proportion to the population, &c.

States.	Blind.			Proportion to whole population 1 to	Proportion of blind whites to whole white population—1 to	Proportion of colored blind to whole col'd population—1 to	Proportions of colored to the whole population.
	White	Colored	Total				
Maine	159	1	160	2497	2505	1177	1 in 339
New Hampshire	105	0	105	2565	2559	1 " 443
Massachusetts	218	5	223	2737	2768	1409	1 " 86
Rhode Island	56	8	64	1518	1672	447	1 " 27
Connecticut	188	7	195	1526	1540	1152	1 " 30
Vermont	51	0	51	5503	5485	1 " 317
New York	642	82	724	2650	2918	547	1 " 43
New Jersey	205	22	227	1413	1464	734	1 " 16
Pennsylvania	475	28	503	2680	2758	1369	1 " 35
Delaware	18	11	29	2646	3205	1741	1 " 4
Maryland	147	124	271	1649	1980	1257	1 " 3
Virginia	355	438	793	1527	1956	1180	1 " 2
North Carolina	223	161	384	1922	2120	1647	1 " 3
South Carolina	102	136	238	2442	2528	2377	1 " 2
Georgia	150	123	273	1893	1979	1789	1 " 2
Alabama	68	48	116	2668	2800	2482	1 " 2
Mississippi	25	31	56	2439	2817	2135	1 " 2
Louisiana	36	77	113	1909	2485	1640	1 " 2
Tennessee	176	37	213	3201	3044	3950	1 " 4
Kentucky	169	83	252	2729	3064	2050	1 " 3
Ohio	232	6	238	3940	3993	1596	1 " 98
Indiana	85	2	87	3942	3887	1816	1 " 94
Illinois	35	4	39	4037	4443	596	1 " 66
Missouri	27	10	37	3796	4251	2566	1 " 5
Michigan	5	0	5	6327	6269	1 " 108
Arkansas	8	2	10	3038	3209	2358	1 " 6
Florida	3	16	19	1828	6128	1020	1 " 2
Dist. of Columbia	11	8	19	2096	2506	1534	1 " 3
	3974	1470	5444	2363	2650	1584	

Upon a review of the above table, our attention is first directed to the great difference which exists in the relative proportions of the blind to the population, in the several states, varying from 1 in 1413 to 1 in 6327. The greatest proportion of blind persons being in New Jersey, and the smallest in Michigan.

On comparing the proportion of the *white* blind with the *colored* blind, the difference is still more remarkable; the largest proportion of the former being, in New Jersey, viz: 1 in 1464, and the smallest in Michigan, 1 in 6269; while the largest proportion of of the *colored* is in Rhode Island, 1 in 447, and the smallest in Tennessee, 1 in 3950.

In the state of Tennessee alone, is there an excess in the proportion of *white* blind over the *colored*, the former being 1 in 3044, and the latter 1 in 3950. In South Carolina, the proportion is nearly equal, the *whites* being 1 in 2528, and the *colored* 1 in 2377. In

Alabama and Georgia, also, the proportions are not so different as in the other states—the *whites* being in the former 1 in 2800, and the *colored* 1 in 2482, and in the latter 1 in 1979 for the *whites*, and 1 in 1789 for the *colored*. In most of the other states, the excess in the proportion of the *colored* is very remarkable.

In the whole population of the United States, the proportion of blind is 1 in 2363—of the *white* blind to the *white* population 1 in 2650, and of the *colored* blind to the *colored* population 1 in 1584.

How are these differences to be accounted for? Geographical position may not fully explain it, yet some facts in this respect are worthy of notice.

Those states on the Atlantic coast and more fully exposed to the influence of the sea air, have the largest proportion of blind; as for example—

Rhode Island	-	-	1 in 1518
Connecticut	-	-	1 in 1526

New Jersey	- - -	1 in 1413
Maryland	- - -	1 in 1649
Virginia	- - -	1 in 1527
N. Carolina	- - -	1 in 1922
Georgia	- - -	1 in 1893
Florida	- - -	1 in 1828
Louisiana	- - -	1 in 1909

The proportions diminishing as we proceed South.

As we proceed into the interior from the sea-coast, the proportions decrease still further, as for instance:

Pennsylvania	- -	1 in 2680
Kentucky	- -	1 in 2729
Tennessee	- -	1 in 3201
Arkansas	- -	1 in 3038
Missouri	- -	1 in 3796

Proceeding still further from the sea-coast, and approaching those great reservoirs of fresh water, the lakes, a further decrease in the proportion occurs, as for example—

Indiana	- - -	1 in 3942
Ohio	- - -	1 in 3940
Vermont	- - -	1 in 5503
Michigan (surrounded by lakes)	- - -	1 in 6327

In those states, a portion only of whose territory is situated on the Atlantic, while a principal portion of it extends into the interior, or borders on the lakes, the proportion of the blind is about a medium between the two extremes; for instance—

Maine	- - -	1 in 2497
New Hampshire	- -	1 in 2565
Massachusetts	- -	1 in 2737
New York	- -	1 in 2650
Delaware	- -	1 in 2646
S. Carolina	- -	1 in 2442
District of Columbia	-	1 in 2096
Mississippi	- -	1 in 2439
Alabama	- -	1 in 2668

It is probable, therefore, from the foregoing facts, that if a comparison were made, between the portions of these states situated on the sea-coast, and those portions more remote from it, the proportions of the blind, within the influence of the sea-air, would be in excess. This is verified so far as we have made the examination. The result is as follows:

1. Maine.—The counties of York, Cumberland, Lincoln, Hancock, Washington, Kennebeck, and Waldo, all situated on the Atlantic, give the aggregate proportion of 1 in 2516, while in Oxford, Somerset, and Penobscot, removed from the sea, it is only 1 in 4101. Most of these last counties abound with lakes.

2. The Atlantic counties of Massachusetts, viz. Barnstable, Duke, Nantucket, Plymouth, Bristol, Norfolk, Middlesex, Essex, and Suffolk, give 1 in 2320; while the interior counties of Worcester, Franklin, Hampshire, Hampden, and Berkshire furnish only 1 in 4107. The proportion in Duke co. (which is an island) is 1 in 1172, and in Nantucket co. (another island) it is 1 in 1800, proportions still greater than in the Atlantic counties on the main land. Barnstable county taken by itself, appears to form a remarkable exception from the other counties, the proportion there being only 1 in

in 14,257, while Plymouth co. immediately adjoining it on the North, with its whole length open to Massachusetts Bay, gives the proportion of 1 in 2688; and Bristol, which adjoins Plymouth on the S. W. exposed to Buzzard's Bay, but watered by Taunton river and other streams, gives 1 in 4133.

3. In the Atlantic counties of Connecticut the proportion is 1 in 1361, and in the interior counties 1 in 1643. In the eastern counties of Virginia, extending from the Atlantic to the mountains, the proportion is 1 in 1370, and in those west of the mountains it is 1 in 2045. So the southern counties of New York give 1 in 2120, while the northern or western 1 in 2931. South Alabama 1 in 2484, north Alabama 1 in 2945. East Louisiana 1 in 1707, west Louisiana 1 in 2743.

From the preceding facts, therefore, it would appear, as a general result, (allowing, of course, for exceptions, which may arise from other local or particular causes) that the admixture of sea and land air, is favorable, under certain circumstances, to the production of blindness in the U. States. How far this may be the case in islands in the ocean, far removed from the main land, we have no means of ascertaining. With regard to the two islands already noticed, Duke and Nantucket, it will be observed, that they appear to give a larger proportion of blind than the Atlantic counties of their state on the main land, and that, of the two islands, Nantucket, which is farthest at sea, gives the smallest proportion, and yet Barnstable co. almost an island, but still, connected with the land, affords a smaller proportion, with two exceptions, than any part of the United States which we have examined. Has its *peninsular* location, or the sea-faring life of its inhabitants, any effect in producing this result?

Our remarks thus far have reference principally to the whole population of the U. States, white and colored; let us now make some comparison between these two classes. With few exceptions, the colored inhabitants appear most liable to blindness in all the states, but in four of the states, this seems especially to be the case, viz:

Rhode Island	- - -	1 in 447
New York	- - -	1 in 547
Illinois	- - -	1 in 596
New Jersey	- - -	1 in 734

While the white blind in the same states are from 1 to 1464 to 1 in 4443. Three of these are Atlantic states, two of which we have placed in the first rank as favorable to blindness, the other occupying a medium, and the fourth, viz. Illinois, among those most exempt from this infirmity. We state the fact without attempting to account for it.

In Vermont, New Hampshire, and Michigan there are no blind colored persons, but in these states the colored population is trifling.

In Florida, Connecticut, Maine, Virginia, Maryland, Pennsylvania, and Massachusetts, the colored blind are in the proportion of 1 in 1020 to 1 in 1409, while the proportions among the whites in the same states are from 1 in 1540 to 1 in 6128. Here we have another instance of apparent peninsular effect. Florida, while it gives a proportion for the whole population of

white and colored blind of 1 in 1828, shows a remarkable difference in the two classes, giving for the whites the proportion of 1 blind in 6128, and for the colored that of 1 in 1020; with regard to the former, being second to the most favorable of any state, and with respect to the latter, holding the fifth rank among the most unfriendly.

In the District of Columbia, Ohio, Louisiana, North Carolina, Delaware, Georgia, and Indiana, the proportions of colored blind vary from 1 in 1534 to 1 in 1816, while those of the white, in the same states, are from 1 in 1979 to 1 in 3994, arranged in the following order: Georgia, North Carolina, Louisiana, District of Columbia, Delaware, Indiana, Ohio.

In Kentucky, Mississippi, Arkansas, South Carolina, Alabama, and Missouri, the colored blind are as 1 in 2050 to 1 in 2566, while the white blind in the same are as 1 in 2528 to 1 in 4251, in the following order: South Carolina, Alabama, Mississippi, Kentucky, Arkansas, and Missouri.

In Tennessee, as we have before observed, the excess of blind is among the white, the proportion being 1 in 3044, while of the blacks it is 1 in 3950.

The state in which the largest proportion of white blind is found, is New Jersey, being 1 in 1464, and those in which the smallest proportions exist, are Michigan 1 in 6269, and Florida 1 in 6128, situated at the opposite extremes of the U. S., one surrounded by fresh lakes; and the other a peninsula, nearly encompassed by the ocean; and Barnstable forming a part of Massachusetts, another peninsula, giving the least of any portion of the U. S. which we have examined, (excepting Crawford co. Pennsylvania,) viz. 1 in 14,257. The circumstances of these peninsulas are very different

the one being a long narrow strip of land, and the other containing a considerable portion of interior country.

The state in which the largest proportion of colored blind is found is Rhode Island, being 1 in 447 and that in which it is the smallest is Tennessee, 1 in 3950.

The non-slave-holding states give aggregately the proportion of colored blind at 1 in 912, while in the slave-holding states it is 1 in 1676 of the colored population. Those of the slave states, viz. Maryland, Virginia, North and South Carolina, Georgia, Alabama, Mississippi, Louisiana, and Florida, situated on the seaboard, give 1 in 1579, while those in the interior, viz. Tennessee, Kentucky, Missouri, Arkansas, and District of Columbia, give 1 in 2626.

It would therefore appear that under all circumstances, the coloured population is most subject to blindness—that both in the Atlantic states and in those immediately bordering on the lakes it is the most liable to it—and most free from it in those states remote from either of those extremes. On the other hand, in the latter states, taken aggregately, the whites are less subject to blindness than in the Atlantic states, and towards the lakes still less than between the two extremes, notwithstanding the two or three apparent exceptions, which we have noticed.

Is there any peculiarity in the physical organization of the coloured population which predisposes it to this infirmity, in those situations and under those circumstances which are most favourable to the whites?—or does the difference arise from their habits, employments, or manner of life?—or is it the effect of other diseases?

The following table was prepared in order to ascertain, in the absence of information which the census

Table showing the relative proportion of the Population in each State, over 50 years of age.

STATES, &c.	WHITES.					Total.	free col'd.	Slaves.	Blacks.
	50 & 60.	60 & 70.	70 & 80.	80 & upw.	Over 50.	Over 55.	Over 55.	Over 55.	Over 55.
Maine,	1 in 21	1 in 34	1 in 47	1 in 202	11	1 in 10	1 in 2		11
New Hampshire,	17	23	45	122	8	7	5		8
Massachusetts,	18	26	47	125	8	9	1		9
Rhode Island,	19	28	49	132	8	8	2		8
Connecticut,	17	23	42	123	8	11	2		11
Vermont,	19	28	65	198	9	8	0		8
New York,	24	40	95	320	12	14	9		14
New Jersey,	21	32	71	244	10	10	4		12
Pennsylvania,	23	40	93	309	12	16	6		17
Delaware,	21	46	124	494	13	13	34		17
Maryland,	21	41	99	314	12	10	19		14
Virginia,	23	39	92	264	12	12	19		18
North Carolina,	22	39	94	270	12	13	21		20
South Carolina,	23	43	108	312	13	10	19		19
Georgia,	28	52	141	414	15	9	28		27
Alabama,	30	62	186	541	18	14	41		40
Mississippi,	30	74	235	786	17	14	42		41
Louisiana,	27	57	168	443	16	14	29		26
Tennessee,	26	53	135	563	15	11	38		35
Kentucky,	25	44	108	337	13	6	33		29
Ohio,	27	48	141	479	15	16	0		17
Indiana,	30	61	179	608	18	14	0		14
Illinois,	31	78	236	807	20	17	32		20
Missouri,	40	83	250	955	20	9	56		51
Michigan,	30	78	316	783	20	22	32		22
Arkansas,	35	81	256	1027	20	14	46		43
Florida,	27	62	180	657	17	10	38		34
District of Columbia,	24	53	163	437	14	10	21		10
United States,					11	12	24		21

ought to have contained—whether a large proportion of the blind were not very aged—and if so, whether the number of those of suitable ages to be educated, was not small—and whether this infirmity might not be the natural effect of age rather than of other causes. But we do not know that it sheds much light upon the subject.

In three of the states in which blindness among the blacks is in largest proportion, it may perhaps be partially owing to age, as we find by inspecting the table, that in Rhode Island 1 in 8 is over 55 years of age, in New Jersey 1 in 12, in New York 1 in 14—but in the other states, of Illinois only 1 in 20, and in Florida

only 1 in 34. Although this table may be of no use in the present inquiry, yet having prepared it with some labour, it is inserted, as it may be useful for some other purpose: and it affords in fact an interesting view of the proportions in each state, of persons at the different periods, above 50 years of age. At first view, it would appear to indicate those states which are favourable to longevity—but this is not the fact: for although in the older states the aged are in the largest proportion, they have in some measure become so by the removal from them, of, principally, the younger portions of the community to the new states.—(See table page 83.)

We come now to notice more particularly our own state, and therefore introduce the following table.

TABLE OF THE BLIND IN PENNSYLVANIA.

COUNTIES.	White population.	Coloured population.	Total population.	No of white blind.	Proportion to white population.	No. of colored blind.	Proportion to col'd popul'n	Total blind.	Proportion to whole popula'n
Adams,	20,742	637	21,379	7	2963	0	0	7	3054
Berks,	52,566	586	53,152	24	2190	0	0	24	2215
Bucks,	44,326	1,419	45,745	8	5541	1	1419	9	5083
Chester,	47,911	2,999	50,910	27	1782	4	749	31	1642
Cumberland,	28,291	935	29,226	3	9430	1	935	4	7306
Dauphin,	24,332	911	25,243	14	1738	0	0	14	1803
Delaware,	16,062	1,261	17,323	6	2677	0	0	6	2887
Franklin,	33,220	1,817	35,037	9	3690	0	0	9	3893
Lancaster,	74,086	2,545	76,631	20	3704	5	502	25	3065
Lehigh,	22,166	90	22,256	3	7388	0	0	3	7418
Lebanon,	20,464	93	20,557	9	2273	0	0	9	2284
Montgomery,	38,662	744	39,406	14	2762	2	372	16	2463
Northampton,	39,290	192	39,482	13	3022	0	0	13	3037
Perry,	14,148	113	14,261	2	7074	0	0	2	7130
Philadelphia,	173,173	15,624	188,797	57	3056	4	3906	61	3095
Pike,	4,743	100	4,843	0	4743	1	0	1	4843
Schuylkill,	20,508	236	20,744	5	4101	0	0	5	4149
Wayne,	7,632	31	7,663	1	7632	0	0	1	7663
York,	41,851	1,008	42,859	28	1495	0	0	28	1530
	724,173	31,341	755,514	250	2897	18	1741	268	2819
Allegheny,	49,356	1,196	50,552	21	2350	0	0	21	2407
Armstrong,	17,605	96	17,701	10	1760	0	0	10	1770
Beaver,	24,044	139	24,183	8	3005	0	0	8	3023
Bedford,	24,076	426	24,502	8	3009	0	0	8	3063
Bradford,	19,664	82	19,746	3	6554	0	0	3	6582
Butler,	14,555	26	14,581	3	4851	0	0	3	4860
Cambria,	7,014	62	7,076	3	2338	0	0	3	2358
Centre,	18,617	262	18,879	2	9308	0	0	2	9439
Clearfield,	4,750	53	4,803	2	2375	1	53	3	1601
Crawford,	15,996	34	16,030	1	15,996	0	0	1	16,030
Columbia,	19,964	95	20,059	10	1996	0	0	10	2005
Erie,	16,926	115	17,041	5	3385	0	0	5	3408
Huntingdon,	26,813	332	27,145	6	4468	1	332	7	3878
Greene,	17,715	313	18,028	12	1476	0	0	12	1502
Indiana,	14,144	108	14,252	2	7072	0	0	2	7126
Fayette,	28,066	1,006	29,172	23	1225	1	1006	24	1215
Jefferson,	2,003	22	2,025	1	2003	0	0	1	2025
Luzerne,	27,193	186	27,379	8	3399	0	0	8	3422
Lycoming,	17,388	248	17,636	3	5796	0	0	3	5878
McKean,	1,438	1	1,439	1	1438	0	0	1	1439
Mifflin,	21,331	359	21,690	7	3047	0	0	7	3100
Northumberland,	18,033	100	18,133	4	4508	0	0	4	4533
Potter,	1,262	3	1,265	1	1262	0	0	1	1265
Mercer,	19,522	207	19,729	16	1220	0	0	16	1233
Somerset,	17,678	84	17,762	9	1964	0	0	9	1973
Susquehanna,	16,714	73	16,786	6	2785	1	73	7	2398
Tioga,	8,949	29	8,978	3	2983	0	0	3	2992
Union,	20,738	57	20,795	8	2592	0	0	8	2599
Venango,	9,437	33	9,470	2	4718	0	0	2	4735
Warren,	4,683	14	4,697	3	1561	0	0	3	1565
Westmoreland,	38,022	378	38,400	15	2535	0	0	15	2650
Washington,	41,931	853	42,784	19	2206	6	142	25	1711
	585,727	6,992	592,719	225	2603	10	699	235	2522
Total in state,	1,309,900	38,333	1,348,233	475	2758	28	1369	503	2680

The whole population of the state is 1,548,233, of whom 503 are blind, being the proportion of 1 in 2680.

The whole *white* population is 1,309,900, of whom 475 are blind, being 1 in 2758.

The whole *coloured* population is 38,333, of whom 28 are blind, being 1 in 1369.

The whole population of *East* Pennsylvania is 755,514, of whom 268 are blind, being 1 in 2819.

The *white* population of *East* Pennsylvania is 724,173, of whom 250 are blind, being 1 in 2897.

The *coloured* population of *East* Pennsylvania is 31,341, of whom 18 are blind, being 1 in 1741.

The whole population of *West* Pennsylvania is 592,719, of whom 235 are blind, being 1 in 2522.

The *white* population of *West* Pennsylvania is 585,727, of whom 225 are blind, being 1 in 2603.

The *coloured* population of *West* Pennsylvania is 6992, of whom 10 are blind, being in proportion of 1 in 699.

In *East*-Pennsylvania the proportions of blind to the population of the different counties, vary from 1 in 1530, to 1 in 7663. In *Western* Pennsylvania from 1 in 1215, to 1 in 16030.

The largest proportion of blind is in *Fayette* county, situated in the southwestern portion of the state, between the *Laurel* Hill and the *Monongahela* river; and having the *Chesnut Ridge* traversing it nearly in the centre, from N. E. to S. W.; the proportion of blind is 1 in 1215. The next largest proportion of blind is found in *Mercer* county, viz. 1 in 1233. This county is situated in the N. W. portion of the state, is traversed by a principal branch of the *Beaver* river, and immediately adjoins on the south, *Crawford* county, in which it is remarkable that the smallest proportion of blind in any county of this state, or indeed of the United States, so far as we have examined, is to be found—1 in 16,030. *Crawford* county is only separated from *Lake Erie* by the narrow county of *Erie*, which has the proportion of blind—3408. In *Crawford* county, is also *Conneaut Lake*. *Warren* county which joins *Crawford* on the east, and is traversed by the *Allegheny* river, gives the proportion of 1 in 1565—while *Venango* county, which also has this river and two large branches passing through it, and which forms a portion of the boundary of all the other three counties, gives the proportion of blind only 1 in 4735. Can these differences be explained by any local causes?

The following counties throughout the state, give the largest proportion of blind.

<i>Fayette</i>	1 in 1215	<i>Chester</i>	1 in 1642
<i>Mercer</i>	1 in 1233	<i>Washington</i>	1 in 1711
<i>Potter</i>	1 in 1265	<i>Armstrong</i>	1 in 1770
<i>McKean</i>	1 in 1439	<i>Dauphin</i>	1 in 1803
<i>Greene</i>	1 in 1502	<i>Somerset</i>	1 in 1973
<i>York</i>	1 in 1530	<i>Columbia</i>	1 in 2005
<i>Warren</i>	1 in 1565	<i>Jefferson</i>	1 in 2025
<i>Clearfield</i> ,	1 in 1601		

Of these counties, eight are situated on the tributa-

ries of the *Ohio* river, five on those of the *Susquehanna*, and one on the *Delaware*. *Somerset* lies between the *Allegheny* mountains and *Laurel* hill.

The smallest proportion of blind is found in the following counties.

<i>Crawford</i>	1 in 16030	<i>Bradford</i>	1 in 6582
<i>Centre</i>	1 in 9439	<i>Lycoming</i>	1 in 5878
<i>Wayne</i>	1 in 7663	<i>Bucks</i>	1 in 5083
<i>Lehigh</i>	1 in 7418	<i>Butler</i>	1 in 4860
<i>Cumberland</i>	1 in 7306	<i>Pike</i>	1 in 4843
<i>Perry</i>	1 in 7130	<i>Venango</i>	1 in 4735
<i>Indiana</i>	1 in 7126	<i>Northumb'd</i>	1 in 4533
<i>Schuylkill</i>	1 in 4149	<i>Franklin</i>	1 in 3893
<i>Huntingdon</i>	1 in 3878		

Of these counties, four are on the tributaries of the *Ohio*, six on the *Susquehanna*, and five on the *Delaware*. Twelve of them are embraced in the most mountainous districts of the state. *Centre* county is in the very centre of the mountains, and affords the second smallest proportion in the state.

The following counties afford a medium proportion.

<i>Luzerne</i>	1 in 3422	<i>Tioga</i>	1 in 2992
<i>Erie</i>	1 in 3408	<i>Delaware</i>	1 in 2887
<i>Mifflin</i>	1 in 3100	<i>Westmore'd</i>	1 in 2650
<i>Philadelphia</i>	1 in 3095	<i>Union</i>	1 in 2599
<i>Bedford</i>	1 in 3063	<i>Montgomery</i>	1 in 2463
<i>Lancaster</i>	1 in 3065	<i>Allegheny</i>	1 in 2407
<i>Adams</i>	1 in 3054	<i>Susquehan'a</i>	1 in 2398
<i>Northampton</i>	1 in 3037	<i>Cambria</i>	1 in 2358
<i>Beaver</i>	1 in 3023	<i>Lebanon</i>	1 in 2284
		<i>Berks</i>	1 in 2215

Of these counties, nine are on the tributaries of the *Susquehanna*, three on those of the *Ohio*, and five on the *Delaware*, and one on *Lake Erie*.

It would therefore appear that, with few exceptions, the most mountainous regions of the state give the smallest proportion of blind. That counties which lie immediately between two considerable ridges of mountains, are among the lower or medium proportions—as for example, *Somerset* and *Cambria*; and that when their position is between mountains and some of the large streams, the situation is favourable to blindness, as *Fayette*, and *Columbia*. The counties on the tributaries of the *Ohio*, seem to furnish larger proportions of blind than those on the *Susquehanna*, and those on the *Delaware* smaller proportions of blind than on either of those rivers.

The proportions of *coloured* blind vary from 1 in 53 to 1 in 3906—which last is found in *Philadelphia* county, and is less than that of the *white* blind in that county, which is 1 in 3056. The correspondence between the proportions of both *white* and *coloured* in *Philadelphia* county and *Tennessee*, is very remarkable.

	<i>White Blind.</i>	<i>Coloured Blind.</i>
<i>Tennessee</i>	1 in 3044	1 in 3950
<i>Philadelphia</i> co.	1 in 3056	1 in 3906

The following table will show, that in some instances the proportion of the blind in cities and towns is some-

times greater, at others less than in the remaining part of the counties in which they are situated.

	<i>City or Town.</i>	<i>Rest of C^{ty}.</i>
Boston, Mass.	- 1 in 3410	771
New London, Ct.	1 in 867	1052
Hartford -	- 1 in 1415	1377
New Haven -	- 1 in 1454	1683
New York city and co.	1 in 2119
Albany, N. Y.	- 1 in 6052	1628
Philadelphia, Pa.	1 in 2874	3283
Reading -	- 1 in 1952	2252
Lancaster -	- 1 in 1541	3446
Pittsburg -	- 1 in 3142	2532
Baltimore, Md.	- 1 in 3317	1388
Cincinnati, Ohio	- 1 in 4138	3436
Nashville, Tenn.	- 1 in 1391	3222

We had no opportunity of comparing the proportions of blind in the U. S. with those in other countries. It has lately been stated, that in Egypt and tropical climates the proportion is 1 to 300, in middle Europe 1 in 800, and in northern Europe 1 in 900. If this be the case, our country is highly favored in having no greater proportion than 1 in 2650.

When we commenced this investigation, our object was merely to endeavor to ascertain whether a large proportion of the blind were not too aged to be educated. We had no idea of entering into so long and elaborate (and, perhaps, to many of our readers, tedious) an examination of a subject which more properly belongs to medical men; but we were induced by the remarkable differences in the proportions of the blind in the several states, to trace the position of these on the map, and thus proceeded step by step until we came to the conclusions which we have stated above, and to which the facts appeared, in our view at least, naturally to lead. So far as we have ascertained from medical gentlemen, to whom we have stated the result, the idea of maritime influence in producing blindness, has not before been suggested by any writer, and that, therefore, a new field for inquiry is presented, which merits attention, and which, if the opinion be found, upon further investigation, to be supported by facts, may lead to an important practical application.

WEST-CHESTER RAIL-ROAD.

At an annual meeting of the Stockholders of the West-Chester Rail-road Company, held at the house of Samson Babb, in the borough of West-Chester on Monday the 21st day of January, A. D. 1833.

Thomas Darlington, (of West-town,) was called to the chair, and Eusebius Townsend, appointed secretary.

The Directors laid before the meeting their report of the affairs and proceedings of the company, which was read, and on motion, directed to be published.

Second Annual Report of the Directors of the

WEST-CHESTER RAIL-ROAD COMPANY.

The Directors of the West-Chester Rail-Road Company, now present to the stockholders a statement of the affairs and proceedings of the company for the last twelve months. At the date of the last report, there remained to be completed of the grading and road formation, about 14,000 cubic yards of excavation, and near 6,000 cubic yards of embankment. A part only of the broken stone and sleepers, had been delivered; the string-pieces were then all in

Virginia, and the iron-plating for the rails, had not arrived in this country. Nevertheless, by means of the arrangement which had been made, by the exertion of the contractors, and the unremitting attention of the resident engineers, a large proportion of the track was in a condition to be travelled at the time originally contemplated—viz. on the 4th day of July last. The unusual severity of the winter, which retarded the preparation and delivery of the string-pieces, alone prevented the completion of the whole line, at the period referred to. It was, however, in such a state of forwardness, that the first car passed through to within a few feet of the intersection with the Pennsylvania rail-road on the 5th day of August. The junction being at length effected, the West-Chester rail-road was opened, in form, on the 13th day of September. Cars and horses were placed on the road, performing partial trips for the accommodation of the neighborhood, until the first track of the Pennsylvania road was in a condition to be travelled—viz. on the 18th of October: at which time an arrangement was made for the conveyance of passengers, once a day, to and from Philadelphia, pursuing the rail-road from the borough to the head of the inclined plane near the Schuylkill, and thence by stages into the city. This arrangement, although presenting an interrupted line, and affording a very imperfect specimen of the advantages of rail-road communication, has greatly facilitated the intercourse between the city and borough, and added materially to the comforts of travellers, when taken in comparison with the former mode of conveyance.

By the annexed statement from the Treasurer's books, it appears that the cost, proper, of the construction of the nine miles of West-Chester rail-road, is \$79,492 03

The cost of the fencing on the route amounts to	4188 85
Buildings, cars, horses, harness, &c.	5916 36
Damages, ascertained and paid,	2611 82
	<hr/> \$92,209 06

Add expenses, since the road has been in operation, including wages, discounts, tolls to the state, &c.

	<hr/> 932 35
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Making an aggregate of expenditures of	\$93,141 41
The amount of capital stock paid in, is	89,100 00
Incidental receipts,	88 95
Amount received for freights and tolls from the commencement to the 10th instant,	1,833 76
Cash borrowed,	2,500 00
	<hr/> 93,522 71

Leaving a balance on hand of	\$381 30
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It is proper to remark here, that as soon as the Pennsylvania rail-road shall be in a condition to admit of a double line of cars upon it, (i. e. to run each way both morning and afternoon) twice the amount of the present business may be done, without any material increase of the current expenses of the company.

In the report of the last year, it was estimated that the total cost of the rail-road, including the fencing on the route, would amount to \$83,103 38

It now appears that the cost of the same amounts to the sum of

	<hr/> 83,680 88
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Making an excess over the estimates of	\$577 50
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It was also estimated, that the expenditure for cars, car-houses, and other buildings and appendages, requisite to put the road in operation, might amount to \$6,896 62

Since then a car-house and stable have been erected at the depot, a dwelling-house and stable at the relay station, with a well and pump at each place—four passenger-cars, and four burthen-cars, have been

procured, and six horses with the requisite harness—for which have been paid the aggregate sum of

5,916 36

Balance, \$980 26

Some few of the bills for the work in the interior of the dwelling house, and for some additions about the car-house, are yet unliquidated—but the whole of them will unquestionably fall considerably short of the balance here exhibited.

It is believed, therefore, that few undertakings of this magnitude, have been accomplished at a cost so near the estimate.

The only expenditure which was not anticipated with tolerable accuracy, arose from the claims for *damages*, along the line of the rail-road. Those claims however, have been chiefly adjusted by the intervention of a respectable jury, and the awards have all been paid. To meet those demands, the board resorted to a temporary loan, in preference to calling in the remaining instalment of the stock, on that emergency. But inasmuch as some additional works in the vicinity of the depot—together with an increased number of sidings or out-lets, along the line—and a further supply of cars and horses, may be necessary to place the rail-road in full and effective operation; it may become expedient, in the course of the ensuing season, to employ the residue of the capital.

At this time, in consequence of the unfinished condition of the Pennsylvania road, the operations on the West-Chester rail-road are necessarily imperfect and limited. Little can yet be done, except the conveyance of passengers—and even this is restricted, at present, to a single trip a day, between the city and borough: but as soon as the second track of the Pennsylvania rail-road shall be ready, (which there is reason to hope will be in the spring,) measures will be taken to establish a double daily line of cars, for the more perfect accommodation of the public. As to the additional and highly important advantage, of transporting *produce* and *commodities* on the rail-road, to and from the city, we shall be compelled to await the completion of the Schuylkill bridge. This, we are assured, may take place during the current year; and then we may fairly hope to see the benefits of our enterprise fully developed, and our anticipations realized.

A number of the active and public spirited proprietors of lime and marble quarries, in the Great Valley, have expressed a desire for a lateral or branch rail-road, to intersect the Pennsylvania rail-road at a convenient point east of Brandywine, and connect with the West-Chester rail-road on the Valley Hill, somewhat near the four mile post. Such a connection would bring those valuable quarries within six or seven miles of the borough, by the line of the rail-road; and if the grade at which such branch can be constructed, should be found eligible, would be of the highest importance to this borough and the district of country adjacent. It would also communicate more directly and conveniently with the trade of the Susquehanna and its tributaries. The directors feel every disposition to extend the usefulness of the work under their charge, whilst they are anxious to render it profitable to the stockholders—and to protect it as much as possible from mischievous obstructions and wilful damage. It appeared, therefore, necessary, in order to accomplish all these objects, that additional authority should be given to the company. They have therefore applied to the Legislature for a supplement to the act of incorporation—as well for authority to construct such a branch as is before spoken of, as to remedy deficiencies in the present charter relative to wanton injury, and interruptions of the free passage along the rail-road. They cannot doubt the readiness of that body to promote these important objects; and when the authority shall be grant-

ed, the directors propose to obtain all the information on the subject of the contemplated branch, which may be within their reach—and submit the whole matter to the revisal and determination of the stockholders.

By order of the Board,

WM. DARLINGTON, President.

Attest—WM. WILLIAMSON, Secretary.

West-Chester, January 21, 1833.

Receipts and Expenditures of the West-Chester Rail-road Company, from its commencement up to the tenth day of January, Anno Domini 1833, inclusive.

DR.

To Capital Stock paid in,	\$89,100 00
Tolls and freight received up to January 10, 1833,	1,833 76
Incidental receipts,	88 95
Money borrowed of Bank,	2,500 00
	<u>\$93,522 71</u>

CR.

By Cash paid, whole amount of grading and road formation,	\$33,756 64
Sleepers,	3,494 20
Iron, castings, spikes, &c.	12,598 20
String pieces, hauling, wharfage, &c.	8,558 79
Construction of track, including horse-path, ditching, &c.	9,362 06
Salaries and wages,	4,257 35
Incidental expenses,	1,247 74
Stone furnished,	6,217 05
	<u>79,492 03</u>
Buildings,	1,555 04
Cars and Horses,	4,309 63
Real Estate,	51 69
	<u>5,916 36</u>
Fencing,	4,188 85
Damages to land, crops, &c.	2,611 82
Hickman James, agent,	\$159 33
Horse feed,	207 99
Expenses,	240 77
Driver's wages,	272 93
Discount paid,	38 24
State of Pennsylvania, toll for $\frac{1}{2}$ of a mile,	13 09
	<u>932 35</u>
Balance of Cash on hand,	381 30
	<u>\$93,522 71</u>

All which which is respectfully submitted.

January 10, 1833.

WM. WILLIAMSON, Treasurer.

It was then on motion,

Resolved, That the chairman and secretary of the meeting, act as judges of the election now to be held for the purpose of electing seven Directors of said company for the ensuing year.

At the close of the poll, the votes being counted, it appeared that the following named persons were duly elected, viz:

Ziba Pyle,	Dr. Wm. Darlington,
David Townsend,	Elihu Chauncey,
Jonathan Valentine,	Jonathan Jones,
Eusebius Townsend.	

THOMAS DARLINGTON, Chairman.

EUSEBIUS TOWNSEND, Secretary.

REPORT OF THE COMMITTEE ON BANKS,

In the House of Representatives of Pennsylvania, in pursuance of a resolution instructing them to present to the House a detailed report on the currency of Pennsylvania, with their opinions of the expediency of increasing the number of banks and banking capital in the state, and the probable effect upon the currency that will be produced by a dissolution of the bank of the United States, should that institution not be re-chartered. Mr. Leaming, chairman. Read, Jan. 31, 1833.

The committee on banks, to whom was referred, on the 15th inst. the resolution "instructing them to present to the house a detailed report of the currency of Pennsylvania, with their opinions of the expediency or inexpediency of increasing the number of banks and banking capital in the state, and the probable effect upon the currency that will be produced by a dissolution of the bank of the United States, should that institution not be re-chartered," REPORT:

That in conformity to their instructions, they will here present the result of their inquiries in relation to the several points submitted to their consideration, comprehending *the present state of the currency, the influence upon it should the number of banks be increased, and the effect upon it should the present bank of the United States be dissolved.*

1. In regard to the present condition of the currency, the committee do not hesitate to congratulate the commonwealth on the possession of a currency which unites all the requisites of a perfect circulating medium, consisting entirely of the precious metals, and bank notes convertible into them.

The first are widely diffused and abundant in all parts of the state; the prohibition by the legislature, of all notes under five dollars, having had the natural effect of filling with specie all the small channels of circulation, so that the committee believe that there is, at this moment, in circulation, far more specie in Pennsylvania than in any other state of the Union.

The notes in circulation are not now too numerous; they are readily converted into specie, and they contribute to make the internal exchanges between the different parts of the commonwealth, with probably less risk and expense, than those of any other country of equal extent in any part of Europe.

The exact amount of the specie in circulation, it is impossible to estimate. The proportion of the specie in the vaults of the banks, to the notes issued by them, will be seen by the following statement, which the committee have compiled from the last report of the Auditor General, with the addition of a similar statement of the bank of the United States.

From these documents, it appears, that the amount of notes now in circulation from the banks in Pennsylvania, and from the bank of the United States within our limits, are as follows:

Capital.	Notes.	Specie.
City, \$10,720,115	\$4,639,344 12	\$2,023,435 74
Country, 3,795,253 84	4,598,160 99	930,611 70
14,515,368 84	9,237,505 11	2,954,047 44
The bank U. S. at Pittsburgh and Philadelphia,	1,687,297 00	2,311,618 00
	\$10,924,802 11	\$5,265,665 44

The knowledge of these facts, leads to the subject of inquiry, *the expediency of increasing the number of banks.* On this subject, the committee think that the safest guide is experience, and that the history of the currency of Pennsylvania furnishes the best answer to the question. The currency of Pennsylvania, as we all know, became degenerated and depreciated by the multiplication of banks, but it was subsequently restored by the diminution of them. In the year 1811, when

congress refused to re-charter the old bank of the U. S., Pennsylvania was tempted, (as other states also were) by the belief that it was necessary, to supply the place of that institution by establishing a number of banks.

By the following statement, derived from authentic sources, the situation of the currency of the United States, previous and subsequent to the war, will be seen:

	Capital.	Notes.	Specie.
The 1st Jan. 1811, the U. S. B'k had	\$10,000,000	\$5,400,000	\$5,880,000
At same time 84 state banks,	42,510,000	22,600,000	9,120,000
Total in 1811	\$52,510,000	\$28,000,000	\$15,000,000
In 1815, 221 state banks,	\$82,620,000	\$44,700,000	\$17,000,000
In 1816, 242 do.	90,800,000	66,500,000	19,000,000
In 1820, 301 do.	98,267,763	39,558,870	\$16,176,651
do. U. S. bank,	35,000,000	4,221,770	3,147,977
Total in 1820,	\$133,267,763	\$43,780,640	\$19,324,628

From the foregoing, it appears that the amount of notes in circulation, in 1820, was only one million less than immediately before the suspension of specie payments; whilst on the other hand, the amount of specie in the vaults of the banks was nearly two millions greater. It will be remarked, that in January, 1816, the paper currency amounted to nearly sixty-seven millions, and in January, 1820, to only forty-four millions. So great a reduction of the issues of the banks, could not have been effected without a corresponding diminution of their discounts; and, therefore, the distress which occurred at that time, may be fairly traced to the excessive number of state banks subsequent to the dissolution of the first bank of the United States, and to their improvident issues. Those of the country banks of Pennsylvania amounted, in November, 1816, to four millions seven hundred and fifty-six thousand six hundred and forty dollars, and had been reduced in November, 1819, to one million three hundred and eighteen thousand nine hundred and seventy-six dollars. The disastrous effects of that policy which carried ruin into every part of this commonwealth, are familiar to us all. Those effects were fully and justly described, in a report of a committee of the senate in 1820, from which it will be sufficient for the present purpose to extract the following passages:

"Ruinous sacrifices of landed property were made at sheriff's sales, whereby, in many cases, lands and houses have been sold at less than a half, or a third, or a fourth of their former value; thereby depriving of their homes, and of the fruits of laborious years, a vast number of our industrious farmers, some of whom have been driven to seek, in the uncultivated forests of the west, that shelter of which they had been deprived in their native state. Forced sales of merchandise, household goods, farming stock and utensils, at prices far below the cost of production, by which numerous families have been deprived of the common necessities of life, and of the implements of their trade."

And again: "At the following session, the subject (the banks) was renewed with increased ardor, and a bill authorising the incorporation of forty-one banking institutions, with capitals amounting to upwards of seventeen millions of dollars, was passed by a large majority. This bill was also returned by the governor with additional objections, but two-thirds of both houses (many members of which were pledged to their constituents to that effect,) agreeing on its passage, it became a law on the 21st March, 1814; and thus was inflicted upon the commonwealth, an evil of a more dis-

astrous nature than has ever been experienced by its citizens. Under this law, thirty-seven banks went into operation, four of which were established in Philadelphia."

And here the committee would embrace the opportunity of directing the particular attention of this house to the careful perusal and diligent study of the excellent messages of governor Snyder to the legislature on this all-important subject, in the years 1812-13 and 1813-14, which are appended to this report. Those documents contain, as it were, prophecies of events then unborn, but which to us now are matters of history, and of a history written in the tears and sufferings of some of the most worthy citizens of this commonwealth. And as history has been justly defined "to be philosophy teaching by example," may we not justly hope that its lessons may be eagerly conned, and its precepts imbibed to direct us in a crisis which assimilates itself so closely to the epoch of those messages.

This state of things continued, and its difficulties appeared to be entirely beyond the power of the legislature to remedy, when, by the wisdom of congress, the present bank of the United States was established. That institution, by restoring specie payments, brought the banks of the state, as well as those of all the other states, back to the true standard of coin. In that condition it now continues, and a most important question is here presented for consideration and decision, *How the currency can be best preserved in that condition?* To the committee it appears manifest, that as a recurrence to the same causes would produce similar results, the multiplication of new banks would tend naturally and inevitably to bring back the disasters from which the commonwealth has been recently and happily extricated. It will be seen by the statements exhibited, that the banks of the interior, great in number, but with small capitals, have issued an amount of notes very disproportionate to their capitals, and of course present far less security to the public than do the city banks with large capitals. Thus, while the city banks, with a capital of ten millions seven hundred and twenty thousand dollars, have issued notes to the amount of not half of their capitals, say four millions six hundred thousand dollars, and have specie to the amount of nearly half their issues, say two millions thirty-four thousand dollars; the country banks, with a capital of only three millions seven hundred thousand dollars, have issued notes to more than the amount of their whole capitals, say four millions five hundred and ninety-eight thousand dollars, with specie in their vaults not equal to more than one-fifth of their issues. The multiplication of small banks would lead still more to increase the disproportion of issues, because, as the expenses of a bank with a small capital are nearly as great as those of a larger one, there is a constant necessity and a constant stimulus to do a large business in proportion to the capital, in order to cover the expenses, and thus, of course, to increase its issues beyond its means. The situation of three banks in the county, close to and adjoining Philadelphia, fully corroborates these remarks.

	Capital.	Notes.	Specie.
Northern Liberties' Bank	\$200,000	\$350,580	\$114,953
Penn Township Bank	150,000	372,825	44,104
Kensington Bank	125,000	152,345	62,247
	\$475,000	\$875,750	\$221,304

The aggregate of capital in these banks, it will be observed, is four hundred and seventy-five thousand dollars, while the issues are eight hundred and seventy-five thousand seven hundred and fifty dollars, and the specie is two hundred and twenty-one thousand three hundred and four dollars; the issues are double the amount of capital, and the specie only one-fourth the amount of their issues. From the very peculiar circumstances of the banking capital of the city of Philadelphia, a small proportionate increase of it, instead of

being injurious, may be attended with advantages to the community, if that increase be made according to the suggestions herewith offered by the committee. A comparison of the amount of banking capital in the other large cities of the Union, will show that of Philadelphia to be much less in proportion to her wealth, business, and population, than any other in the Union.

Boston has, in banking capital,	\$16,127,000
New York, do.	18,980,000
Baltimore, do.	11,000,000
Philadelphia city and county,	11,397,890

The state of trade and manufactures, population, and banking capital of the city of Pittsburg, our state's western metropolis, demand from us at this time particular attention, in reference to the application for another bank.

About eight thousand wagons arrive there annually from Philadelphia, laden with merchandise, the value of which it is impossible to estimate correctly, but it is supposed by intelligent residents there, to amount to at least twenty millions of dollars. The carriage of this merchandise is always paid in Pittsburg, and amounts on an annual average to at least twelve hundred thousand dollars.

The value of the manufactures of the county of Allegheny in 1831, was estimated at three millions and a half of dollars, and has since very greatly increased and is continually increasing. The population of this city, its suburbs and vicinity in 1810, was five thousand, in 1820 it was about eight thousand, and now it amounts to nearly twenty-eight thousand.

There are now only two banking institutions in this city, viz: the bank of Pittsburg and the Branch Bank of the United States. The capital of the first is three hundred and forty-seven thousand three hundred and fifty-five dollars, and the latter, seven hundred and fifty thousand dollars. The amount of collections for the use of the business men of that place during the past year, it is said by well informed persons, was upwards of three millions of dollars. The exchange operations of the Branch Bank for the year ending 30th June, 1831, were, for bills purchased, \$989,834 33 for drafts drawn, 1,077,028 10

Making a total of \$2,066,862 43

Notwithstanding the vast increase of trade, manufactures, and population, there has been no increase of banking capital in Pittsburg for seventeen years!

The committee, therefore, give it as the result of their deliberate judgment, that the legislature should be extremely cautious, at this time, in increasing the number of banks; that our true policy is, to wait patiently the decision of the question in regard to the re-chartering of the Bank of the United States, and should that institution not be re-chartered by the general government, it may then be a subject for consideration, whether a charter shall not be granted to it under the authority of this commonwealth, or in the event of its dissolution, whether our true policy will not dictate, not to increase the number of our banks, but to increase the capitals of the banks now in existence, as best calculated to afford security to the public.

These reflections lead to the third duty of the committee, the *examination of the effects of the dissolution of the bank of the United States*. Of that event, the effects cannot fail to be extremely inconvenient and disastrous to the whole community, but particularly to Pennsylvania, the centre of all its operations, and the immediate witness of its benefits. After the ample discussion which the subject has undergone for some years past, and the severe ordeal to which the institution has been subjected, there is probably no man of common intelligence in the United States who does not know that the financial disasters of the late war were mainly occasioned by the dissolution of the old Bank of the U. States;—that the multiplication of banks to supply

its place proved more disastrous than the war itself;—that those banks involved the currency of the country in a state of hopeless confusion, to correct which, the general government was obliged to interfere and establish the present bank;—that the bank has completely purified the currency throughout the Union, has brought the system of internal exchange to a perfection superior to what exists in any other country, and is the only control over the state banks, and of course the only real protection of the people from the excesses of those banks; and finally, that this bank is in the highest degree *strong and prosperous*, with a capital of thirty-five millions, with notes issued to the amount of half its capital, and specie in its vaults to the amount of nine millions. The destruction of such an institution, established for the accomplishment of certain objects, which it has effected beyond the most sanguine anticipations of its friends, seems scarcely to be expected; but if it does take place, we think it cannot fail to deliver the monied concern of the Union into the hands of several hundred unconnected irresponsible banks, to throw back the currency into confusion, to be speedily followed by the suspension of specie payments, and to revive the system of fluctuating and depreciated paper currency, which once nearly destroyed the prosperity of this commonwealth.

It is this uncertainty in the value of every man's property, this insecurity in the reward of every man's labor, which is to be deplored, and, if possible, averted. The Bank of the United States, it is believed, occupies the same position in relation to the state banks, which the government of the United States maintains to the state governments; and the destruction of the bank would, in fact, be again what it was during the late war, a dissolution of the monied union of the country. Already the mere expectation of such an event is beginning to be felt in the pecuniary concerns of the commonwealth. This state now owes more than seventeen millions of debt, of which it is believed more than half is owned by foreigners, who have thus invested their money in our stock on very favorable terms for us, and have thus enabled us to carry on our improvements. But there is much reason to fear that an alarm already excited among these foreigners, by what they call "vacillating policy meditated by the general government," and if these apprehensions of the destruction of the bank shall be realized, it cannot be doubted but that the foreign capitalist, instead of making further investments in the stock of this commonwealth, will become more suspicious of the precarious nature of such investments, and will throw back upon us the many millions of the stocks of the Bank of the United States, and of the states of New York, Pennsylvania, Ohio, and Louisiana, and selling them here at any sacrifice, materially interfere with all the future financial operations of Pennsylvania and the other states. It was doubtless with a full view of these considerations, that the legislature of Pennsylvania, in two successive years, did, with extraordinary unanimity, urge upon the general government, the expediency of settling this embarrassing question by re-chartering the bank. All these considerations are still in greater force now, as the period approaches when these disastrous consequences draw near to us.

On the whole, the committee offer to the house, as the result of their examination, these deliberate opinions:

That the currency of Pennsylvania is now sound and abundant.

That to preserve it in that condition, it is expedient not to increase materially the present number of banks; and,

That the dissolution of the Bank of the United States would so injuriously affect the banks, and all the financial operations of the commonwealth, that every effort ought to be used to avert so serious a calamity.

All which is respectfully submitted.

On motion of Mr. McCulloh,
Ordered, That 3000 copies of this report in the English language, and 1000 copies in the German language, be printed for distribution.

Extract from the journal of the House of Representatives,
FR. R. SHUNK, Clerk.

APPENDIX.

Messages of Governor Snyder upon the subject of Banks, Sessions 1812—13, and 1813—14.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania.

Nothing less than the most perfect conviction of my understanding and the strongest urgings of duty, could induce me to return, for re-consideration, a bill presented to me by the Legislature of Pennsylvania, with whom it has been my happiness to act in unison, and with whom even to differ in opinion gives me pain. I have, with an anxiety proportioned to its importance, and with the deference justly due to the constituted authorities which have passed it, read and carefully examined the provisions, tendencies, and probable consequences of the bill, entitled "An act to establish a general system of banking," and cannot approve of it; and have accordingly directed the Secretary of the Commonwealth to return it to the House of Representatives, where it originated, with the following objections:

First. Because corporations are privileged orders, vested with certain rights and immunities, not enjoyed, nor, without penalties, to be exercised by the great body of the people. And whenever an association of individuals are legally vested with such peculiar powers and privileges, it ought to be either called for by the general voice of the people, or be so manifestly for the promotion of the public weal, and beyond the accomplishment of individual enterprise and ability, as to satisfy the judgment, and thus secure the votes of an indisputable majority of the whole Legislative Assembly. This objection is founded on that equality of rights, which is the vital principle that pervades our constitution, gives it all its excellence, and dispenses the blessings which pre-eminently distinguish the citizens of the United States.

Second. Because every objection which can be urged against corporations generally, gathers weight and strength when directed against monied institutions; the undue influence of which, has often been the subject of well founded complaint. To wrestle with and put down this influence, new associations have been formed; applications for new charters for similar establishments have multiplied; and in proportion as they have been granted, has been the multiplication of new applications. These facts apply with peculiar force to the city of Philadelphia, where those institutions had their origin, in this country; but should the system be enlarged, as contemplated by the bill under consideration, the evil will overspread the whole state, and it is much to be feared, will taint the purity of elections, and eventually prostrate the equal rights of the people.

Third. Because it is questionable whether too much has not already been done in granting to corporations the privilege to *coin money*—a money which, not answering the purpose of foreign commerce, drains the country of its precious metals, and in their lieu, substitutes a currency which is without any value, except what is stamped by public confidence. The granting such an inherent right of sovereignty to individuals, avowedly associated to promote their pecuniary interests, is putting it in their power to increase the circulating paper medium of the country to such an extent as will result in depreciation of, or a total want of confidence in bank paper: events too deplorable not to be deprecated by every good citizen.

Fourth. Because the most diligent inquiries, and information from the best sources, have satisfied me that the present banking capital of Pennsylvania is equal to

the discounting all the good paper, which for many months has been offered, or will be offered during the continuance of the war in which we are engaged; and therefore the establishment of twenty-five new banks, dispersed all over the state, with a capital of 9,525,000 dollars, would, by the readiness to give credit, invite to visionary speculations; divert men from useful pursuits; damp the ardor of industrious enterprise, and consequently demoralize the community.

Fifth. Because, as banks are multiplied, so will be increased the difficulty of distinguishing real from counterfeit bank notes; thus facilitating the means of imposition upon the ignorant and unwary, and, by the hope of impunity, tempting more to join in committing the crimes already too prevalent, of counterfeiting and passing counterfeit notes. At present the variety of designs and signatures to our bank notes are not so diversified, but what an attentive observer may, with tolerable certainty, discriminate between a genuine and counterfeit note: but if twenty-five new institutions be privileged to issue paper money, each one electing its own device, mode of execution, kind of paper on which it shall be printed, and each having its own officers to sign and countersign them, how difficult, how almost impossible, will it be, for our citizens to know when a piece of paper purporting to be worth five, ten, or one hundred dollars, be in fact worth any of those sums, or not worth one cent.

Sixth. Because, although petitions have been presented asking the incorporation of banks in come counties in the state, yet upon inquiry, I have not learned that any application for the establishment of a system, so novel and extensive, has been made to the Legislature; nor has this want of expression of public wishes in favor of such a system, been made unequivocal by the votes of the Legislature. The bill was carried, as appears by the journals, by a majority of one in each House: in neither branch of the Legislature had this bill a majority of the whole number of its members.

Seventh. Because the history of all nations that have authorized an extensive paper currency, and the experience of our own country, have furnished melancholy examples of the disastrous consequences which flow from such a system.

Eighth. Because a time of war is an unpropitious era to try experiments, particularly when those experiments may seriously affect the finances of the commonwealth, which now draws a revenue, more than equal to all its current expenses, from the bank stock which it owns in the banks already incorporated.

Ninth. Because, under all the circumstances, no material injury can result from an arrestation of the bill, until the next session of the Legislature; whereas, if it were now to pass into a law, it might produce evils not in the power of a subsequent Legislature to correct: because an act incorporating a company for the purpose of banking, partakes of the nature of a contract, against the impairing of which there is a constitutional prohibition; for a provision wisely introduced into several laws lately passed, vesting associated individuals with corporate powers and exclusive privileges, authorizing a subsequent Legislature to repeal and annul such law, if the privileges hereby granted should at any time prove injurious to the community, happens, very unfortunately, not to have been introduced into this novel and important bill. At all events, if I am mistaken, misinformed, or in error, the representatives of the people, upon a review of the bill, can if they think proper, give it effect, independently of executive sanction, by such a majority as would unequivocally express the public opinion, and designate it the law of the land.

SIMON SNYDER.

Harrisburg, March 19, 1833.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania.

The bill, entitled "An act regulating banks," was

presented to me, for my approbation, on the 9th inst. I have given to its consideration all the faculties of my mind and the feelings of my heart, and I regret to say that my convictions of duty to the community, will not permit me to approve of its passage into a law. In returning the bill, as I do, for re-consideration, I respectfully refer the Legislature to the objections transmitted, March 19th, 1813, against the bill, entitled "An act to establish a general system of banking." Those objections apply to the present bill with additional force, because it contemplates the establishment of a much greater number of money-coinig institutions; thus spreading further and wider, the baleful effects which I cannot but think inevitable from such an establishment.

In addition to the objections on the journals of last session, I will briefly remark, that although the system proposed then, and this session enlarged upon, has been a year before our fellow citizens, yet have none of them requested that it should become the law of the state. And I cannot divest myself of the fear that if it should become a law, it would tend only to enrich the wealthy and the speculator; while it would, in various forms, heap burdens on the poor and the industrious. Permit me to hazard an opinion, that changes of law have a great effect in a popular government to weaken its force, by preventing or destroying habits. A steady operation gives force to laws, and the government acquires dignity and respect, in proportion to its uniformity of proceeding. This bill, I presume to say, will produce in society an unhappy effect. It legalizes the acts of illegal associations, and thus proves the weakness of the government; nay, it carries on its face a warrant for the infraction of the restrictive provisions therein contained, and in my opinion goes far to encourage the infraction of all laws.

It is a fact well ascertained, that immense sums of specie have been drawn from the banks in Pennsylvania and certain other states, to pay balances for British goods which eastern mercantile cupidity has smuggled into the United States. The demand for specie has in consequence been and still is so great, that the banks in Philadelphia, and in some other parts, have stopped discounting any new paper. I ask a patriotic Legislature, is this an auspicious era to try so vast an experiment? shall we increase this pressure? shall we indirectly aid our internal and external enemies to destroy our funds and embarrass the government, by the erecting of *forty-one* new banks, which must have recourse for specie to that already much exhausted source?

Is there at this time an intelligent man in Pennsylvania who believes that a bank note of any description is the representative of specie? Is there not great ground for fear, a knowledge that *forty-one* new banks, having a nominal capital of more than seventeen millions of dollars, upon the bare payment of one fifth part, shall have the right (the inclination to do so cannot be doubted, under the predominant spirit of speculation) to throw into circulation an additional overwhelming flood of paper, and thus totally destroy the remaining confidence in that medium? and will not a hoarding of specie and a ruinous depreciation of bank notes, be the natural consequence of such a state of things?

On the ground of principle, generally, I may confidently say that industry is the only permanent source of wealth. It secures subsistence, and advances our interest by slow, yet sure and regular gains, and is the best preservative of morals. Not to speculation, which this bill seems to invite; it has the direct contrary effect: depending on fixed principles, it opens a field for the exercise of ingenuity, ever on the alert to take advantage of the unwary in the accidental variation of things. The success of the speculator by profession, tempts the farmer and the mechanic to forsake his accustomed honest pursuits. Launched on the wild sea of speculation, ever exposed to deviations from recti-

tude, his moral principle becomes weakened, and eventually all sense of commutative justice is destroyed.

Thus impressed as to the probable consequences of the bill, if enacted into a law, I should betray the trust reposed in me by my fellow-citizens, if I were to approve its passage. To differ from the representatives of the people is painful to me, but to shrink from a responsibility which I consider myself in conscience bound to assume, would be criminal. I decline stating any objections which may have arisen out of the fluctuation of opinions amongst the members of the General Assembly, during the pendency of the bill under consideration, and refer to them only to show how the hopes and fears of the members themselves were raised and depressed, and their opinions altered, by circumstances which could not at all influence others.

The bill is returned for re-consideration, under the most perfect convictions that my duty to our common constituents, to the State and the Union, requires me so to return it. Duly respecting the judgment and motives of the Legislature, and trusting to their liberality in viewing my conduct,

I remain their fellow citizen,

SIMON SNYDER.

Harrisburg, March 19, 1814.

PHILADELPHIA CHARITY SCHOOL SOCIETY.

Annual Report of the Board of Managers of the Philadelphia Society for the establishment and support of Charity Schools, with the annual report of the Treasurer.

On the annual return of the period when the Board of Managers are to surrender the powers entrusted to them by the members of the Society, it becomes their duty to submit a brief statement of their proceedings for the past year. In the performance of this duty they would express the belief that it is by the continued blessing of Divine Providence upon their efforts, that the interesting institution entrusted to their management, has continued to advance in a course of prosperity and usefulness, which calls upon us all to express our gratitude to the Giver of all good, that we have been made the instrument of conferring upon so great a number of the youth of our city, advantages of which they cannot cease to feel the influence through life.

The schools have been visited weekly by committees of the board, and the children examined in the different branches of their studies. This system of frequent visitation is considered as possessing great advantages, as it not only keeps the board informed of the state of the schools, but creates a desire among the children to make such attainments as will meet the approbation of the committees.

During the past year, the average number of children attending our schools has been 170 boys, and 160 girls. There have been admitted 250 boys, and 309 girls; and 230 boys and 316 girls have, during this period been discharged. The whole number now belonging to the schools is 240 boys, and 239 girls.

The whole number of children who have received the benefit of the institution since its foundation, is 9390.

The good order and discipline maintained in the girl's schools, has been a source of much gratification to the board, and the progress made by many of the female scholars in the attainment of "useful learning" is highly creditable to their instructors.

In an institution like ours, founded for the purpose of imparting such instruction to the children of the poor, as the time they can allow before their apprenticeship will afford, the managers cannot be expected to narrate instances of extraordinary attainment, but they feel a pleasure in stating that several of the pupils who have left the schools during the past year, and others still remaining, have given evidence of such progress as

does honour to themselves and their instructors; and the anxious wish of the board is, that the society may continue quietly and without ostentation, to impart the blessings of a useful education to the children of their charge.

In relation to the boys' department, the managers are of the opinion, that under its present organization it is not conferring the benefits to the children generally, that might be attained under a different arrangement; and to effect an important improvement, the attention of the board has been directed for some time to this object, and some progress has been made in their plans; the subject is now recommended to the attention of their successors.

The property of the society in Kensington, which for several years has been a source of expenditure, is now likely to afford some addition to the income of the institution; and from the progress of improvement in that district, the board believe that the time is not far distant when this property may be made the means of considerably augmenting their revenue.

For a detailed statement of the financial concerns of the society, the managers refer to the accounts of the treasurer, which will be laid before you.

Having attended during the past year to the discharge of their duties, feeling gratification in the prosperity of the institution, and hoping that the usefulness of the society may continue unimpaired, they now resign their charge into the hands of the members.

By order and on behalf of the board of managers,

SAMUEL J. ROBBINS,
Chairman, pro tem.

JOHN B. ELLISON,
Secretary.

Philadelphia, December 28, 1832.

ANNUAL REPORT OF THE TREASURER.

The Treasurer in closing his accounts for the past year, may inform the society, that he has received since his last report, chiefly from contributions, members, interest on loans and rents, 1925 dollars, and paid during the same period for orders drawn on him by the board of managers, for salaries of teachers, and incidental expenses, repairs, &c. \$2231 54, leaving a balance due the Treasurer of \$185 40.

There remains uncollected, the interest on a bond of 4000 dollars, since 2d mo. 16th, 1830. The property on which this bond was secured having been lately sold by the Sheriff, it is expected that the principal and interest will soon be received; also, that the bond of George Peters, (deceased,) for 153 dollars, with interest from 9th mo. 26th, 1831, and Griffith Owen's bond, balance of principal and interest amounting to about 50 dollars, have been placed in the hands of an attorney for collection. Six months' rent of the house in Fifth street, due 10 mo. 24th last; as also 100 dollars, cellar rent due since 1830, remain unpaid: also 45 dollars, interest on bond due 11 mo. 29th last. The Treasurer expects all the above will be received during the present year, except the cellar rent \$100, and the amount of George Peters' bond, both of which claims he considers doubtful.

There has been no change in any of the securities of the society during the past year. The investments of the funds of the society in real estate and capital stock, amount at present to \$37,769 09, of which an income will probably be derived for the present year, viz.

Bonds, &c. \$21,593, yielding	\$1274 00
Real Estate, 16,176 91, yielding	600 00
To which add annual payments of members	190 00

Making the probable income for 1833, \$2064 00

GEORGE PETERSON,
Treasurer.

Philadelphia, 1 mo. 1st, 1833.

From the Mauch Chunk Courier.

MAHONING VALLEY.

MR. EDITOR:

I will now, in conformity with your request, after some delay occasioned by the want of information which I could not at once obtain, undertake to furnish you with a brief description of the present appearance and condition of the place where the Gilbert family * were taken captives, and also of the surrounding country. I regret however, that the task had not been undertaken by some one more accustomed to writing, and better acquainted with this section of country, its early history and numerous incidents, than myself.

On the spot where stood the dwelling and improvements of the Gilbert family, and which witnessed the scenes of their misfortunes, there are at present a grist-mill, a saw-mill, and an oil-mill, together with an old log dwelling-house and barn, in which latter are some of the logs of an old stable, taken down a few years ago, and which are the only building remains from the time of Gilbert. The premises are now occupied by Mr. Septimus Hough. All the buildings are situated on the north side of Mahoning creek, on an elevated bank about forty perches from the main road leading from Lehighton and Weissport to Tamaqua, and about four miles from the former villages. †

Mahoning valley, through which the creek of the same name winds its course, averages about one and a half miles in width, from the foot of Mahoning mountain, to the foot of Summer Hill, and extends from the river Lehigh at Lehighton, to the Little Schuylkill, about four or five miles below Tamaqua, a distance of fifteen miles. The country is pretty level, containing good tillable and some fine timbered land, which is densely settled by German farmers and mechanics. There are now five grist-mills, one oil-mill, and thirteen saw-mills in this valley, and a road on each side of the creek through the same, leading from the Lehigh to the Schuylkill, which are intersected by many cross-roads for the better accommodation of the inhabitants, all of which are kept in good passable order.

On the south side of Mahoning mountain, i. e. between the Blue and Mahoning mountains, there is likewise a stream called *Lizard creek*, a stream of about the same power as Mahoning creek, along which are also several grist and saw-mills, as well as an extensive manufactory of bar iron, ‡ two miles above the junction of the creek and the river Lehigh, and about four miles from the place of the captivity of the Gilbert family. These two mountains form another valley of about a mile in width, and of the same length as Mahoning valley, which is also thickly settled by German farmers, &c. An excellent road passes through Lizard creek valley, (the accepted name for this valley,) from the Lehigh to Mc Keansburg and Orwigsburg, in Schuylkill county; several mail roads also crossing the Blue mountain and lead from these valleys to Allentown, Kutztown, and other places. The two valleys are connected by several roads crossing Mahoning mountain, upon which are also many farms cleared and improved; the land being of the same nature as in the valleys.

There are a number of English, and a few German schools in these valleys, and two neat Churches on the summit of Mahoning mountain, about six miles apart, which are well situated for the convenience of the citizens of both valleys. These churches belong exclusively to the Lutheran and German Reformed congregations, the only established sects now existing in the neighborhood.

* See the account of their captivity in Reg. vol. 3. p. 314.

† These villages have both been built since the time of Gilbert.

‡ Balliet's Forge.

These are the prominent features and aspects of this district of country, which but a few years ago was a dreary wilderness, and the scene of the most agonizing human suffering, caused by the barbarous acts of the vengeful savages.

The burning of the *missionaries* of the *United Brethren* at Gnadenhutten, together with a few incidents which occurred in this immediate neighborhood during the Revolution, are matters worthy of record, and shall be given in detail in a future communication, as soon as time and circumstances will permit. W.

EAST PENN., Jan. 17, 1833.

N. B.—I forgot to mention in the proper place, that the family of Benjamin Peart did not live on the same place where Benjamin Gilbert lived, but about half a mile further up the creek, and about one fourth of a mile from the same, on the south side. Mr. Robert McDaniel now owns and lives on the place. Two pear-trees and several grafted apple-trees are still there, which were brought from Bucks county, planted and grafted by Benjamin Peart. There are also some apple-trees on the Gilbert place at Mr. Hough's, that were brought and planted there by that family. W.

From the Philadelphia Gazette.

PROCEEDINGS OF COUNCILS.

Thursday, Jan. 31, 1833.

SELECT COUNCIL.—A communication from Sam'l Comly, was received and was referred to the Girard Commissioners.

The following communication from the Executors of Stephen Girard, was received.

To the Select and Common Councils of the city of Philadelphia.

The undersigned respectfully lay before the Select and Common Councils, the annexed copy of a communication received from the Trustees of Stephen Girard's Bank.

If Councils shall assent to the proposed arrangements, the undersigned will contribute, on their part to carry it promptly and faithfully into execution:

TIMOTHY PAXSON,
THOS. P. COPE,
JOSEPH ROBERTS,
W. J. DUANE,
JOHN A. BARCLAY,
Executors of S. Girard.

Philadelphia, Jan. (1 mo. 29) 1833.

"STEPHEN GIRARD'S Bank,"
January 23, 1833.

"The peculiar situation of some of the Trustees of the Bank, rendering it embarrassing to them, to fix the compensation to be charged for the execution of the trust, it was believed by the board, that it would be most expedient to appoint three gentlemen of the law to determine after a careful examination of the accounts and transactions of the Trustees, the compensation to be charged by them:

Whereupon it was resolved, That the Cashier be directed to inform the Executors of Stephen Girard, that the Trustees will agree to refer the question of compensation, to be charged by them, to the determination of John Sergeant, Horace Binney and Charles Chauncey, Esquires, whose decision shall be final, if such be approved by said Executors."—Extract from the Minutes.

Messrs. Groves and Massey presented remonstrances against lighting the city with Gas, which were referred to the Committee on Gas.

Mr. Neff offered the following resolution, which was adopted.

Resolved, That the Presidents of Council be requested to acknowledge the receipt of the communication from the Executors of Stephen Girard, dated January

29th instant, and to state in reply that while the Councils do not see any thing objectionable in the course proposed, they do not feel themselves at liberty to become in any degree parties to the questions which are to be settled between the Executors and Trustees.

Mr. J. P. Wetherill presented a petition from Griffith Evans and George Pepper, in relation to a culvert in Arch street, which was referred to the Paving Committee.

Mr. Massey as Chairman of the Committee reported, An Ordinance, fixing the salaries of the Mayor and Recorder of the city of Philadelphia, the City Treasurer, City Clerk, Clerks of Councils, and Messenger, which was laid on the table:

Mr. Massey offered the following resolution which was laid on the table.

Resolved, By the Select and Common Councils, That the City Solicitor be requested to take the necessary measures for causing Cherry street to be opened from Schuylkill Fifth street to the river Schuylkill, as early as practicable.

The following communication was received from the Commissioners of the Girard Trusts, which was laid on the table.

To the Select and Common Councils of the city of Philadelphia.

Office of the Board of Commissioners of the Girard Estate, Jan. 31, 1833.

At a meeting of the Board held on the 26th inst. the following preamble and resolution submitted by Mr. Troth, was read and agreed to:

Whereas, the Councils of the city of Philadelphia having accepted the important trusts committed to them by the will of the late Stephen Girard, and thereby assumed great responsibilities, and whereas, the diversity of duties and extent of interests which consequently devolve upon the Corporation, are many and great and requiring nice discrimination to avoid conflicting inferences from the wording of the will, and whereas, an erroneous interpretation of this instrument might involve the Corporation in difficulties, and subject it to much reproach—to avoid these evils it becomes of the utmost importance to have the ablest legal advice on all occasions of doubt in relation to this great trust. Therefore

Resolved, That this Board recommend to Councils the passage of the following resolution, viz:

Resolved, By the Select and Common Councils, that at the first stated meeting of Councils in the month of February next ensuing, they will joint in meeting proceed to elect by ballot, a Counsellor to the Girard Estate, to whom the Councils, the Commissioners of the Girard Estate, and the Trustees of the Girard College shall apply whenever they may deem it necessary to have legal advice to enable them to discharge faithfully and correctly, the duties of the trust devolving on them.

From the minutes.

MORGAN ASH, Secretary.

A communication from Good Will Fire Company asking the use of the City House, was received, and referred to the committee on Fire Companies.

Mr. Massey offered the following resolutions which were laid on the table.

Whereas, it appears from an examination of the accounts of the Watering Committee, that the sum of two hundred and one thousand six hundred and thirty-three dollars and forty-seven cents, has been expended for Permanent improvements, and expenses incident to the Water Works, such as iron pipes, iron mains, distribution, reservoir, wheel and pump, for and during the years 1829, 1830, 1831, and 1832, as per statement herewith, and deducted from the income arising from the Water Rents in those respective years; and the Permanent improvements are not only for present benefit but also for the benefit of prosperity, and

Whereas, it would appear that the citizens are now

taxed for the whole amount of the interest of the debt contracted for the water works, amounting the present year to \$71,611, and it is but reasonable and right that the balance of the income should be appropriated for the liquidation of the interests for water loans contracted by the corporation, after providing for the annual appropriation by ordinance to the Sinking Fund of \$14,000, towards the extinguishment of the debt as it shall become due; together with the incidental expenses of the water works, therefore,

Resolved, by the Select and Common Councils, That the Watering Committee be, and they are hereby requested to place to the credit of the Tax Fund annually hereafter, in addition to the \$14,000 already appropriated by ordinance, to the Sinking Fund, from the water rents for each year, after deducting the incidental expenses and salaries incurred in behalf of the works, and that in future, the expenses for permanent improvements shall be borrowed by the Watering Committee, at such times and in such sums as Councils may deem expedient. Be it further

Resolved, That an ordinance be reported at the next stated meeting of Councils, authorizing the Mayor to borrow as early as practicable under the direction of the Watering Committee, one hundred thousand dollars, being in part of the sums expended during the years of 1829, 1830, 1831, 1832, for permanent improvements, and that the deficiency, if any in their accounts for the year 1832, be deducted from the amount of the sum so borrowed, and the balance passed to the credit of the tax fund for the year 1833, and that the premium obtained on the said loan, shall be passed to the credit of the Sinking Fund, and that the loan shall not be redeemable in a less period than twenty years.

An account of the amount of cash expended in Permanent Improvements, and raised on Loan during the following years.

Years.	Borrowed.	Distribution.	Fair Mount.	Wheel and Pump.	Reservoir.	Iron Main.	Iron Pipes.
1829	55,000	1,000	4,000		4,655	57,518	3,699
1830		1,000	5,000		7,882		12,022
1831	36,300	1,000	5,000		6,692		34,693
*1832	9,500	1,000	10,000		1,537	4,866	29,468
	\$100,700	4,000	24,000	10,596	20,767	62,384	79,885
							13
							62,384
							80
							20,767
							46
							10,596
							08
							24,000
							00
							4,000
							00
							\$201,633
							47

* This was taken by resolution of councils from the tax fund.

Years.	Wheel and Pump.	Distribution.	Incidental.	Water Power.	Iron Main.	Salaries	Fai Mount Works.	Reservoir.	Repairing.	Damages.	Iron Pipes.	Total.
1829		5,213 51	180 17	1,528 76	57,518 39	3,125 00	4,640 63	4,655 24	367 20	210 07	5,741 09	81,180 06
1830		4,613 84	555 72	1,433 40		3,125 00	5,627 82	7,882 81	343 18	56 25	12,032 82	35,660 84
1831	4,699 62	5,075 02	982 00	1,500 00		3,211 25	6,157 27	6,692 31			34,693 80	65,009 57
1832	5,896 46	5,373 74	343 76	1,566 33	4,866 41	3,240 00	12,903 23	1,537 10			29,468 55	65,195 58
	10,596 08	20,274 11	2,061 65	6,028 49	62,384 80	12,701 25	29,328 95	20,767 46	710 38	226 32	79,926 26	245,046 05

Cash paid for the above purposes by the Watering Committee during the aforesaid years:

<i>Received for Water Rents and old Materials during the following years.</i>	
1829	52,513 17
1830	58,918 27
1831	65,694 62
1832	73,019 81
	249,945 87
	11,917 30
	\$261,863 17

Steam engine, 5,523 75

\$11,917 30

The Select Council concurred in a resolution relative to the appointing of a committee to adopt a system for settling the accounts of the City Commissioners, which was passed by the Common Council at their last meeting.

COMMON COUNCIL.—Messrs. Chandler and Mc-

Mullin presented remonstrances against gas, which were referred to the committee on gas.

A communication from John Warner respecting the lease of a lot on the W. side of Schuylkill for 10 years, was received, and was referred to a joint committee of two members of each council, and Messrs. Morris, Elliot, Worrell, and Eyre, were appointed the committee.

Mr. Chandler presented the following communication from N. Gevelot, which was referred to a joint committee of two members of each council, and Messrs. Chandler, Gowen, Groves, and Neff, were appointed the committee.

Philadelphia, Jan. 31, 1833.

To the Select and Common Councils of the City of Philadelphia.

Gentlemen: Permit me to call your attention to the accompanying model in clay, of the late Stephen Girard. It has been my happiness to have succeeded in this instance in producing a likeness very characteristic of this great benefactor of the city, and it would give me much pleasure if you would authorise the execution of a statue in marble from this model. I have estimated the cost to be about \$9,000, and I can safely promise that two years will be sufficient time to complete a statue in every way worthy of the arts of this city.

Should you, gentlemen, think favorably of the model now presented for your inspection, I propose to you to execute a statue of 7 feet in height, of the best marble, for the sum abovementioned.

Very respectfully, your ob't serv't.

N. GEVELOT.

Mr. S. Wetherill offered the annexed resolution, which was agreed to.

Resolved, That a book for the purpose of having recorded in it, all articles that may be required for the use of councils, or any committee appointed by them, be kept in the office of the city treasurer, and that in the examination of accounts furnished for articles so required, that the book so kept shall be necessary to the passing of the accounts before the committee.

Mr. Huston offered the annexed resolution, which was adopted.

Resolved, That the committee on the accounts of the City Commissioners be directed to inquire whether any alterations are necessary in the present organization of that board.

Mr. Morris called up for consideration the resolution attached to the report of the committee relative to the navigation of the river Schuylkill, which was adopted by both councils.

Mr. Chandler, as chairman of the committee, made a report and resolution, which were agreed to, for payment of expenses incurred by the eulogy on C. Carroll.

Mr. Lapsley offered the following resolution, which was adopted.

Resolved, That the committee of ways and means be requested to inquire into and ascertain if any and what change may be made in the system of the collection and disbursement of the city revenues, in order to a decrease of the onerous taxes now levied.

AN IMPORTANT INVENTION.

Mr. Stephen Ustick of this city has recently obtained letters patent for a *Saw* which he has invented, and which, from the evidence we have seen of its capabilities, we are inclined to believe a most important labor-saving machine. This invention consists of pairs of knives or *side cutters*, which project a very short distance below the points of the common teeth, in the saw, so that as the saw is moved to and fro, either through a log or across it, the knives or cutters penetrate the wood with great facility, and are followed immediately by the common teeth, which rip out the wood left between the knives with a degree of despatch and quick-

ness which is truly surprising. We believe a cross-cut saw can never be used by one man only in cutting a log for a saw-mill, but that two are necessary; and even then the labor is slowly and painfully performed. But with Mr. Ustick's improvement, one man will, with the utmost ease, cut through a two foot butt in about half the time required for two men with the common cross-cut saw. We have seen this done, and of course speak from personal knowledge. The fact of itself proves that instead of two men being needed, one only will do double quantity of work, making, in fact, the labor of one man with this saw equal to the labor of two men with the ordinary tool. Besides this its other advantages are so numerous, that we shall endeavor to arrange them under proper heads.

First—Common saws may be readily altered to the patent saw, thus enabling persons who desire the improvement, to procure it without sacrificing a good saw already on hand. The cost of altering a common saw would be very small, while its capacity to turn out work would be increased two fold.

Second—The knives or side cutters, when used in cutting up green timber, cut with so much keenness and regularity as to leave no *furze* on the board, which furze all lumber men know to be a great disadvantage. The surface of the boards are delivered from the mill so uniformly smooth, as to be fit for flooring without any further planing, beyond what is usually given after the floor is laid. Seasoned logs are also cut equally well, but not quite so rapidly.

Third—The teeth of the saw are made much after the fashion of a *chisel*, by which a *ripping* operation is given to the whole machine, accounting for the rapidity of its movements, as well as for the facility with which one man only can drive it.

Fourth—In lumber districts, where labor is generally high, each saw of Ustick's patent is equal to *two* of the present kind, thus enabling the owners of saw-mills to get out as many logs as they can possibly want, at the same time saving large sums weekly in the hire of hands, while their mills are rendered far more productive.

Fifth—Lumber having the smooth surface given to it by this saw, will sell more readily, and will also command a higher price in the market. The advance thus realized on one-fourth of a common raft will repay all cost of introducing the improvement.

Sixth—The cost of this saw is so little as to be within every body's reach—it gets out of repair no sooner than ordinary saws, nor is it more liable to injury from accidents, while it is kept in order with very little additional trouble.

These are the most important advantages of Mr. Ustick's invention. The patent was taken out only in August last, and within but a few weeks have any efforts been made to bring it before the notice of the public. Mechanics interested in the improvement, have seen its operation in this city, and pronounce it a most valuable discovery.

Mr. Ustick has put up one saw at his room, No. 86 South Third street, where the public are invited to call and witness its operation, which the inventor illustrates by cutting through a stiff log, with one hand, in a twinkling. In the various lumber districts of this and other states, this saw will be found a most important acquisition. The dense forests of our country, already disappearing before the axe of the woodman, will melt away with four fold rapidity through the agency of this simple yet very complete instrument.—*Sat. Bulletin.*

INDIAN VESTIGES.

Vestiges of the aboriginal tenants of the soil which we now occupy, are occasionally discovered by the husbandman, or the miner, in turning up the earth, or by the woodman, in felling the ancient oak of the forest.

Such vestiges are interesting, as melancholy remembrances of the Red man, who has been driven by the encroachments of civilization, to seek other hunting grounds in the "far West," or has fallen a victim to

the perfidy and cupidity of the early white settlers, or perchance, while prowling upon the borders of the settlements, eager to avenge some real or supposed injury, has been taken off by the well aimed shot of the rifleman, watchful for the protection of his women and children against the murderous tomahawk and scalping knife. They are interesting too, as indications of the rude arts which were practised by the Indians of this country, before the foot of a white man had marked the sand on the river's beach, or his voice had waked the echoes amongst the everlasting hills.

An oak was recently felled by Messrs. Valentine and Thomas, on the north side of Muncy Mountain, Lycoming county, Pennsylvania, which was found, upon counting the growths, to be 460 years old, and to have been marked by a cutting instrument 390 years ago, the age of the tree being about 50 years. The instrument used in making these marks, was probably a hard stone carved or ground into a shape, bearing some resemblance to our axe, but much smaller in size. Such instruments have frequently been found since the settlement of this country by the whites.

That the marks made upon this tree at the early period just mentioned, were with a sharp instrument wielded by the hand of man, an examination of the section of the tree, which has been preserved, will at once make perfectly manifest.

LOGAN.

—*Bellefonte Patriot.*

LIST OF DEAD.

Buried in the Common Burying ground last year.	
Adults,	16
Children,	15
Dead buried in St. Stephen's Church Yard.	
Adults,	2
Children,	1
In the Presbyterian Church Yard.	
Children,	1
In Moses Wood's burying Ground.	
Adults,	1
Total,	36
Of these are inhabitants of this Borough,	
Adults,	8
Children,	10

The others are from the environs of this town, and strangers.

Coloured people, none buried last year in this place.

JOHN M. KIENZLE, Sexton.

Wilkesbarre, Jan. 1833.

THE REGISTER.

PHILADELPHIA, FEBRUARY 9, 1833.

The present number contains the tables and remarks on the Blind, which we promised some weeks since. We trust they will be interesting to many of our readers. To those who are projecting an establishment of the blind in this city, they will afford information such as can be derived, we believe, from no other source. What physicians may think of the views we have taken, time must determine.

An able report on Banks made by Mr. Leaning to the Legislature, is also inserted this week. We are indebted to Messrs. Burden, Keating, and Miller, for the reports on the Penitentiaries, Revised code, and on the effects of Manufactures on Agriculture—which will appear in due season.

The weather has been severely cold for a few days. Some ice is in the Delaware—and the Schuylkill closed by it.

HAZARD'S REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

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REPORT OF HOUSE OF REFUGE.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania.

In presenting their annual report, the managers of the House of Refuge feel great satisfaction at being able to refer to the gentlemen belonging to your honourable bodies, who have lately visited it, for the actual condition and appearance of the establishment. The munificent patronage which it has received from the Legislature, calls for the warmest expressions of gratitude. The managers cannot better acknowledge their deep sense of the favours which they have received, or make a more adequate return for them, than by perseverance in active exertions in behalf of the trust committed to their care. Of the success of their past exertions, the members of the Legislature who have visited the institution can now form an accurate judgment. It will always afford the individuals who have undertaken the charge, peculiar pleasure to witness a renewal of these visits, to exhibit all parts of the establishment, to conform to any suggestions by which the plan of government may be improved, and to receive if they merit it, the reward of their efforts in the continued protection of the law-givers of the commonwealth.

The managers have the satisfaction to state that the general good habits and cleanliness which have prevailed, have been followed by a large share of health. At the time when the city and its neighborhood were visited by the epidemic which has afflicted so many parts of the country, every preparation was made to meet it within our walls. Not a single case of *Cholera*, however, appeared. At a subsequent period, scarlet fever attacked some of our inmates. But it has not proved fatal in any instance, and it is now so effectually checked, that the general health of our extensive family, may be considered as fully restored.

We have had occasion during the past year, not less than at former periods, to regret the difficulty which is met in procuring suitable employment for the boys. The cut-nail factory, and band-box making have both been abandoned. Resources were looked for in the school room during the period that the occupations of the workshops were diminished. Two additional hours of the day were given to books instead of handicraft, and for the time that the alteration lasted, although much to be regretted, it was attended, we trust, with as few bad consequences as might be expected. The great foe of virtuous inclinations—idleness—was at least, partially excluded; and amends were

sought, for the suspension of labor of the body, in active and well directed exertions of the mind. The want of full employment in the workshops was happily, but temporary. All are now fully occupied, there as well as elsewhere. Shoemaking, bookbinding, and brass nail making have gone on as heretofore. And to these useful trades have been added those of making cane seats for chairs, and the furniture for umbrellas; both of which have afforded and promise to continue to do so, constant sources of useful instruction and employment. The smaller boys find occupation for the most part, in winding bobbin. The females are constantly engaged in house work, and in making and mending all the clothing for the establishment.

The duties of the week are not exchanged for idleness or bad habits on Sundays. Besides the usual religious services which are performed in the morning and afternoon with great regularity, Sunday schools are carried on with the most salutary consequences. For the superintendence of church worship, we are indebted to the unhesitating kindness of the clergymen of different denominations who in turn officiate in the chapel. The Sunday schools have been re-organized and considerably improved: and a gentleman of ability gratuitously superintends them. The department of the inmates of both sexes on these occasions would not discredit youth of any class; and if we may judge from the general interest which they take in their religious exercises, the best results may be anticipated from the efforts which are thus generously made in their behalf.

No important alteration has taken place in the house during the past year. The superintendent and the matron have continued to perform their duties with the same ability as heretofore. Untiring in their efforts, they manifest no other change than that which additional experience and corresponding facility in directing their especial departments, may have happily produced. Moral and intellectual culture is the especial object of their care. This combines an attention to various objects of which, if the existence of them be not separately cardinal virtues, the absence of them is a positive and dangerous evil. Industry—cleanliness—correctness and decency of deportment—kindness of manners—regard for truth—good humour—and contentment—all are to be encouraged and preserved, in order that the great ends of the establishment may be attained.

The alarm which prevailed during a part of the summer and autumn with regard to Asiatic Cholera had the effect of diminishing the usual number of applications for apprentices. Our pupils, therefore, were more

numerous during that period, and the expenses of the establishment accordingly, were more considerable.

Sufficient time has now elapsed to test the ultimate effects of an education in the House of Refuge. Persons formerly its inmates and afterwards apprentices, have attained to full age, and are pursuing their own career on the great theatre of life. Freed from the restraints of both descriptions of youthful discipline, they are exhibiting in their present conduct and characters, some of the influences of this establishment. It has been our anxious wish to trace them to their present occupations, and to ascertain how far our (unquestionably sanguine) hopes have been realized. We are warranted in saying, that the result has been satisfactory. Instances are already ascertained of persons of entire respectability. Where those of a different kind occur, they may fairly be ascribed to a failure not in the principles themselves on which our system is founded, but in the proper application of them. Either the mind had been already too mature in age and evil inclinations when it was subjected to restraint and cultivation; or the period of its probation was too short to be effectual. But even when the success of the experiment has not been all that could be desired, the comparison is made with what would in all probability have been the result but for the partial relief afforded by our discipline; and regretting as we are bound to do, that we had not the opportunity to effect more, we derive heart-felt consolation from the reflection that we have been able to do so much.

The various departments of the establishment continue to be attended to with unceasing care. The "Ladies' Committee" pays its weekly visit, with a never-failing advantage corresponding with the generous motives which influence the benevolent individuals of whom it is composed. A committee of the managers assemble at the house twice a week. The physicians administer their aid with continued kindness and skill: and the persons in subordinate stations animated by a similar spirit are entitled to the most favorable report.

Statements are annexed exhibiting the details which it is important that the Legislature should be possessed of. The numbers admitted and bound out, &c. and the expenses incurred during the past year, are there displayed.

By order of the Board of Managers of the House of Refuge.

ALEX. HENRY, Vice President.

Attested,

JAMES J. BARCLAY, Secretary.

Philadelphia, Jan. 1, 1833.

To the Board of Managers of the House of Refuge, the superintendent respectfully reports:

	Boys.	Girls.	Total.
The number of subjects remaining in the House of Refuge, Jan. 1st, 1832, was	113	44	157
Admitted from Jan. 1st, 1832, to Jan. 1st, 1833,	94	37	131

Five of the boys admitted had been indentured, and were returned, and one was returned from the almshouse.

Discharged during the year.

	Boys.	Girls.	Totals.
Indentured, - - -	59	9	68
Of age, - - -	3	12	15
As not proper subjects, -	6	4	10
Returned to their friends, -	7	4	11
Sent to the almshouse, -	2	2	4
Escaped, - - -	5	0	5

The average age of the boys admitted is about 14 years; of the girls, a fraction over 14 years.

Two boys have been received from Centre county, and one from Bradford co. The remainder are from the city and county of Philadelphia.

The boys are employed at book-binding, shoe-making, winding bobbins, making brass nails, umbrella furniture, cane chair-seats, and bonnet reeds.

The girls are employed at sewing, knitting, cooking, and such other domestic duties as are necessary in the establishment.

Indentured during the year.

To a glass-blower, 2; confectioner, 1; cotton spinner, 1; seamen, 16; tailor, 2; wheelwright, 1; house carpenters, 4; printers, 2; boot and shoe-makers, 4; paper maker, 1; baker, 1; cabinet makers, 3; store keeper, 1; blacksmith, 1; engraver, 1; harness maker, 1; woolen manufacturer, 1; farmers, 16.

The girls have all (9) been indentured to learn housewifery.

The report of the teacher which is herewith presented will show the condition of the school.

EDWIN YOUNG, Superintendent.

HOUSE OF REFUGE, }
January 1st, 1833. }

The teacher of the school in the House of Refuge respectfully reports to the superintendent, that the number of boys under his tuition at present, is 125; which are divided into 13 classes, as follows:

The three first read and spell tolerably well, and have progressed in arithmetic as far as Vulgar Fractions.

The five next read in the Testament and Spelling Book, and are taught from Mr. Emerson's system of oral arithmetic.

Three other classes can read easy lessons, and spell words of three or four syllables, whilst the two last, consisting of 16 boys, are learning to read.

Besides these classes, there are 13 boys who teach the others, and receive special instruction for that purpose from the teacher. Some of these have made considerable progress in arithmetic, and to others, whose abilities and industry are encouraging, instruction in geography is given. Only one boy is ignorant of his letters, having been but a short time in the institution, and not having previously received instruction.

Six subjects who have been admitted within the last six months, have learned to read, form letters, &c.; and one boy, who was ignorant of arithmetic, can now work examples in Simple Proportion! The present state of the school in detail is—

- 24 who read and spell well, write on slates, and cypher in Vulgar Fractions.
- 35 who read easy lessons, spell words of 3 and 4 syllables, form letters on the slates, and study oral arithmetic.
- 36 who read in the Testament, learn spelling, write on slates, and study oral arithmetic.
- 16 who are learning to read.
- 3 who write well on paper, and cypher as far as "Square Root."
- 5 who read and write well, and study geography, and cypher as far as Simple Proportion.
- 5 who read and write well, and cypher as far as Reduction.
- 1 learning the alphabet.

125

This school is taught upon the monitorial system, as far as the regulations of the institution, and the size of the school-room permit. At a late examination held for the purpose of exhibiting the improvement made during the last six months, much disposition was shown by the boys to acquit themselves creditably. This, together with the general good conduct, emulation, and industry prevailing at present, aided as it essentially is by the managers of the institution, in so liberally supplying the *matériel* necessary, and in distributing rewards to the deserving, induces me to entertain a sanguine hope, that the department of which I have the charge, may prove of essential service in promoting the objects of the institution.

EDMUND NEVILLE, Teacher.

FEMALE SCHOOL.

This school is divided into seven classes, in none of which, six months ago, geography or arithmetic had been introduced. At present their studies are as follows:

The first class uses the "National Reader," studies geography, spelling, writing, and the fundamental rules of arithmetic.

The second, the Universal Class Book, writing, spelling, and oral arithmetic. The 3d, 4th, and 5th, Grimshaw's United States, writing, spelling, and oral arithmetic, and the 6th and 7th use spelling books, making

- 35 who read and spell tolerably, and study arithmetic, and

- 14 who are learning to read.

The correctness with which the lessons are recited in this school, and the neat manner in which the writing and other books are kept, is very creditable to the children.

EDMUND NEVILLE, Teacher.

The Treasurer reports the following statement of receipts and expenditures of the House of Refuge from Jan. 1st, 1833, viz.

Received from county commissioners for legislative appropriation for 1832,	\$10,000 00
Borrowed from the Commercial Bank	3,000 00
Received for labor of boys	2,578 23

Do. for annual subscriptions and donations,	355 31
Do. for rent, scaffold, poles, &c.	393 00
Balance in treasury, Jan. 1st, 1832,	1,717 34
	<u>\$18,043 88</u>
Amount paid for provision, clothing, fuel, stationary, salaries, &c.,	\$13,856 44
Paid for alterations and repairs to buildings,	2,523 50
Paid balance of interest account,	1,026 37
Balance on hand 1st Jan. 1833,	<u>\$637 57</u>
THOMAS EARP, Treasurer.	

REPORT ON AGRICULTURE.

Report of the committee on Agriculture, in the House of Representatives, on the resolution instructing them to inquire into the influence which the encouragement now given to the manufacturing interests of the State, has upon the interests of Agriculture, and upon the purchase and settlement of the Unseated Lands of the Commonwealth. Mr. Lardner, chairman,—Read, February 2, 1833.

The committee on agriculture, to whom was referred on the 8th January, the resolution instructing them "to inquire into the influence which the encouragement now given to the manufacturing interests of the state, has upon the interests of agriculture; and upon the purchase and settlement of the unseated lands of the commonwealth" Report:

That considering the resolution as proposing subjects of inquiry deeply interesting to the citizens of the state, they have given to it the most serious attention; and deem it respectful to present their views to the House, and to submit the reasons which have influenced the judgment they have formed on those subjects. By "the encouragement now given to the manufacturing interests of the state," it is presumed, is meant by the tariff acts of the congress of the United States, which afford protection to the domestic manufactures of the country. The influence which these acts have on the agricultural interests of the state, a question at all times of deep interest to the citizens of the state, is rendered eminently so at the present moment, when the right to pass those tariff laws is called into question, accompanied by the threats of one of the states, to dissolve the Union, should the exercise of it be continued.

It is a matter of history familiar to the members of this House, that Pennsylvania was amongst the earliest, and has continued to be among the most steadfast and uniform advocates of a system of protection to the domestic industry of the country. The superior advantages which the state possessed for one branch of manufacture, considered essential to the independence of the country, may have originally imparted to the state a tendency to this course of policy; but as the great and prominent interests of the state are agricultural, the inference is irresistible, that the benefits which the system of protection would confer on her agriculture, formed the great inducement, in the state, to be prominent in advocating its adoption as the permanent policy of the government. At all events, it is the most charitable construction of the measures so early adopted by the state, in recommending the policy of protection, to suppose that, at least, those measures were prompted by the opinion, that such a course of policy would advance the agricultural interests of the state: And it is no more than an act of justice to infer, that in so uniformly and steadfastly adhering to be the advocates of this policy, the good people of this state were convinced by facts and experience, that the encouragement of

domestic manufactures had exercised a beneficial influence on its agriculture. It is due to the intelligence of the people of the state, to presume, that previously to becoming the advocates of the system of encouraging domestic manufactures, they had instituted a careful inquiry into the influence which the system was calculated to have on the agricultural interests of the state, and that their perseverance in sustaining the system, was the result of experimental conviction in favour of its benign influence on those great and essential interests.

The resolution, in proposing the inquiry at this late period, would seem now to make a question of that which your committee had been taught to believe, had long since settled down into absolute conviction; and now to raise a doubt on a subject which they had believed, had long since been resolved into a matter of perfect demonstration. The question is raised at a time not the most propitious to an impartial investigation of its merits. A deep and serious excitement pervades the community, not favourable to a calm and dispassionate consideration of the subject. If there is, indeed, any reality in the attitude assumed by a sister state, the question is no longer to be decided by reason, experience, and the constitution; but by a compromise, abandonment, or the sword. A refusal to abandon the system is now stigmatised by the epithets of sordid and selfish obstinacy; and perseverance in maintaining it, is chargeable to a mean and pitiful avarice, which estimates the tariff acts of Congress as of more value than the Union itself; and, indeed, we are told from the highest authority, that there must be a surrender of the principle of protection as heretofore enjoyed, without regard to the extent of the sacrifice. If such is to be the ultimate decision of this all-absorbing question, it matters not to the good people of this state, what the advantages of the system of protection have been, or would continue to be to the agriculture of the state; and to make a display of them under such circumstances, would be something like presenting to them the cup of Tantalus. If by raising the inquiry now, in the manner proposed by the resolution, it had for its object to raise a doubt, at this critical period, of the beneficial influence of the system of the encouragement of domestic manufactures on the agricultural interests of the state, and thus to reconcile the people to the abandonment of a doubtful policy: your committee have to regret that the resolution had not taken a reference to those, who, entertaining a doubt on the subject, might have had the opportunity of presenting their views to the house.

If, however, the object of the resolution at this time, was to afford the committee on agriculture the opportunity of vindicating the favourite policy of the state, in supporting the protecting system as advantageous to its agricultural interests, the committee feel happy in having been selected for the purpose, and have only to regret their want of ability to do justice to the subject.

In pursuing, then, the inquiry, the committee will not trouble the House with any commentaries on the learned theories and refined doctrines of political economy—a science which has its votaries among men of letters and of leisure, but whose doctrines have been universally proscribed in practice. They are aware no inquiry would be satisfactory to this House, which is not founded on facts and experience; and they believe, fortunately for a proper illustration of the subject, the experience of this state is fruitful in facts and proofs in favour of the system of protection, in the advantages it has afforded to the agricultural interests of the state. In the plain and practical view of the subject, it appears to your committee that the wants, necessities, and comforts of every community, are dependent upon the mutual co-operation of the three great departments of industry—agriculture, commerce, and manufactures.—That these three great departments of industry should exist in every community, is admitted by all; the question of their relative importance, and the degree of encouragement which they respectively require, has

been the fruitful theme of disputation, which has involved the country in its present unfortunate dilemma. Without indulging in any speculative opinions on the nature and extent of the encouragement which they may be respectively entitled to, it will be sufficient for the purpose of this inquiry, if it shall be found in the effects produced by the various tariff acts of Congress for the encouragement of domestic manufactures, that they have given equal protection to the three great branches of industry; that they have made them subservient to each other, and the mutual instruments of promoting the general welfare and prosperity of the country.

The policy of protecting the domestic industry of the country, is recognized in the earliest acts of the legislation, both of this state and of the Congress of the United States; and in the infancy of the government, the labors of the most distinguished statesman and able financier of this or any other country, were devoted to the illustration of the expediency and necessity of the encouragement of domestic manufactures, as indispensable to the prosperity and independence of the United States. Notwithstanding the immense natural advantages possessed by the country for a successful prosecution of manufactures, various circumstances, it is well known, combined to retard their progress in the infancy of the government. "Scarcely had the adoption of the federal constitution introduced some degree of confidence, and the continuance of peace permitted the accumulation of a moderate capital, when the commencement of war in Europe threw into the channels of our commerce, the carrying trade of the world, and thus offered an irresistible bounty to the investment of capital in commerce. It accordingly took that direction, almost exclusively, with great profit to the country, until the commencement of the commercial restrictions of 1807." And from the history of the country it will appear, that from the period of the first settlement of the country, till the commencement of the late difficulties with Great Britain, there was always some particular cause in operation, the effect of which was adverse to the establishment of manufactures.

The tariff of 1816, which gave the first impulse to the manufacturing industry of the country, and which pledged the faith of the government to sustain and foster that industry, was established shortly after the conclusion of the war with England; in the commencement and progress of which, there was experienced so utter a destitution of the ordinary resources of an independent nation, as to render the adoption of means to encourage manufactures in the country, absolutely necessary. Among the advocates of that tariff, were to be found some of the most gifted statesmen of the south; and of these, there was one pre-eminent, who strange to say, now regards that principle of protection as the bane of the Union, which he then defended and sustained as essential to its integrity and safety.

Opposed to the tariff of 1816 were most of the northern states, and particularly the state of Massachusetts, which continued that opposition even to the tariff of 1824. Their pursuits being then almost exclusively commercial, they identified their prosperity with the doctrines of free trade. Considering that by these two acts, the system was adopted as the settled policy of the government, and confiding in its pledges to extend protection so long as the occasion might require it, the citizens of that state invested their capital in manufacturing establishments; and so rapid were the advances in manufactures, and so convinced were they, by actual experience, of the benefits of the system, and that instead of fettering the operation of commerce, its direct tendency was to expand them, that the state of Massachusetts is now the most zealous and firm advocate of the protecting system.

It is worthy of notice, that the objections originally made to a tariff to afford protection to the industry of the country, were founded principally on the grounds

of expediency and policy; and on the arguments furnished by the doctrines of political economy. It was alleged that the country was not ripe for the introduction of the system; that duties for protection were premature; that they would operate as a tax on the many, for the benefit of the few; that the encouragement of manufactures would prove burdensome to agriculture, which was the great and primary interest of this country; that it would fetter the operations of foreign commerce, which it was the more immediate interest of the government to foster; and that the introduction of them, would exercise a pernicious influence on the morals of the community. A short period of ten years' experience, having demolished all these objections, and falsified all these predictions of the opposers of the protective system: it was subsequently discovered, that notwithstanding the exercise of the power of affording this protection was coeval with the existence of the government, that the constitution did not justify it. This constitutional objection to the right, was first urged incidentally, as being a power at variance with the *spirit* of the constitution. By degrees it assumed a bolder front, and is now loudly proclaimed a palpable, positive, and absolute infraction of the letter of the constitution, justifying the most violent opposition to its arbitrary exercise. South Carolina demands an abandonment of the exercise of the protecting policy. In vain has the exercise of the power been coeval with the existence of the government; in vain has the system shed its benign influence on the country, invigorating its commerce, increasing its domestic trade, and sustaining and supporting its agricultural interests. Carolina, in the exercise of her absolute sovereign power, has nullified the system. She is now resting on her absolute sovereignty, supported by her reserved rights; in one hand she holds out her writs of *replevin* and *capias* in *withernam*, the peaceful remedies of nullification; in the other, she brandishes a sword. The alternative she presents to the United States, is an unconditional surrender of their power and authority to collect the duties on impost within her territory, to the mercy of *John Doe and Richard Roe, or the Brigadier General* at the head of the military forces of South Carolina. To appease the wrath which has placed Carolina in this imposing attitude, an appeal is made to the sympathies and to the love of Union, of the people of the United States. Congress, with a view to heal the wound, is now hurrying through the House of Representatives, a measure which is designed as an olive branch, without calculating the extent of the sacrifice, or the mischief it is to visit on the manufacturing states of the Union. To carry this measure into effect, the votes of the representatives of this state are deemed necessary; and it is a matter of notoriety, that no little exertion has been made to secure the consent of this state to the surrender of the principle of protection, which is considered so closely interwoven with its prosperity. It would, indeed, go very far to reconcile the people of this state to an abandonment of the policy of encouraging domestic manufactures, if perchance, it could be made to appear that the agricultural interests of the state were not benefited by it, or that the purchase and settlement of the unsated lands of the commonwealth were unfavourably affected by it. In this view of the subject, the raising of the inquiry in the resolution at this time, gives to it an importance which it would not otherwise possess; and renders it incumbent on your committee to take a wider range of the subject, than would otherwise be justifiable.

The interests of agriculture are so essential to all others, and of such paramount importance, particularly to this state, that it is difficult to conceive that any system, no matter for what object it was designed, could receive the countenance and support of the people, which should affect injuriously, the agricultural interests of the commonwealth. In pursuing the inquiry into the influence now given to domestic manufactures on

the agricultural interests of the state, the committee would remark, that the fact of the existence of the present healthful and prosperous condition of the agricultural interests of the state, most successfully illustrates the favourable influence of the protecting system. There is no period in the affairs of this state, in which its agriculture was in so great a state of depression, as that which intervened between the peace with England in 1815, and the period of the creation of a home market, by the encouragement given to domestic manufactures under the protecting system. Occasionally, it is true, the farmer received an exorbitant price for his flour, in consequence of a failure of the crops in England, or some unlooked for demand in South America; but generally, the prices were too low to afford him any remuneration for his toils; he was, during all that period, dependent for the reward of his labour, on the precarious casualties of a threatened famine in England, a hurricane in the West Indies, or some political convulsion in Europe, which to him, at the expense of his Christian virtues, were indeed "angels' visits, few and far between." The exclusive policy of foreign governments, in favour of their own industry, by which a market was refused to the breadstuffs of the grain-growing states, in time called for and obtained the adoption, by our own government, of those counteracting measures which were so happily intended to create a market at home, for that which was denied a market abroad. The rapidity with which, under the system of protecting the manufactures of the country, a home market was created for the productions of agriculture, and the extent in which it now exists, have exceeded the most sanguine expectations of the friends of the system. The present certainty and regularity of the home demand for the products of the soil, the steadiness of the prices, the increased ability for their consumption, consequent to the general and profitable employment afforded—these are the fruits of that system which has invigorated the agriculture of this state for a series of years, in the absence of foreign demand; by which the value of the products of the soil, and with it the labour of the farmer and the price of the land, have progressively increased; and by which a stability and independence have been imparted to the pursuit of agriculture, which it did not before possess. These effects can be ascribed to no other causes, than the increase of the manufacturing classes and the rapid growth of the home market, under the protecting system. There have been no wars, nor threatened famine of late years, to create a demand for the breadstuffs of the country; but on the contrary, all the producing nations have been exerting their industry to the utmost, and maintaining a rivalry against this country which would have visited, particularly the citizens of this state, with the most disastrous consequences, if they had not found a steady and valuable market at home.

What has put in motion that immense mass of industry, which is now so advantageously exerted in all the branches of domestic manufactures and mechanical productions of the city and county of Philadelphia, containing a population of upwards of 200,000 consumers of agricultural productions? What has occupied the various water powers of the adjoining counties with substantial buildings filled with the most valuable machinery of every variety, requiring the assistance of a numerous population depending for their subsistence on the products of the soil? What has converted, in the space of a few years, that which was an inconsiderable village, in the extreme west of the state, into a great manufacturing city, containing a population, including the adjoining towns, of 25,000 consumers of the breadstuffs of this state? What has introduced the production of wool so extensively in the country, requiring immense ranges of land for the pasturage and subsistence of sheep, and diversifying so agreeably the pursuits of agriculture; and which has increased the consumers of agricultural productions, in the numerous

class of operatives required in the manufacture of woollens? What has multiplied so rapidly the manufactories of iron, and scattered them over almost every county of the commonwealth, affording the most extensive market for the products of the farmer, and bringing the consumer and producer into immediate contact? And what has opened in the New England states, a market for the breadstuffs of the grain growing states, of greater value than was ever the market of old England? a market for those breadstuffs, equivalent to a million of barrels annually.

To what cause can these important effects be ascribed but to the encouragement given to domestic manufactures by the protecting system—a system which, by securing the industry of the country from the injurious influence of foreign legislation, has afforded to our enterprize the means of developing the great natural advantages of the country for manufactures; and which has produced the co-operation of the three great departments of industry, by making them subservient to each other, and the mutual instruments of promoting the prosperity of the whole. Political economists say, that this prosperous state of things has grown up in spite of the system of protection: with the certain knowledge that it has grown up under the system, the committee think that the consequences involved in the issue, are too momentous, to risk an experiment for the mere purpose of solving a problem of political economy. And if, under the system of protecting the industry of the country, the farmer has to pay a higher money price for domestic manufactures, he full well knows, that it is better for him to give such a price to the domestic establishment, which takes the productions of his farm in exchange, than to obtain them at a lower rate from foreign establishments, that will take scarcely any thing he has to give.

To pursue the inquiry in all the details of the various branches of domestic manufactures which exercise a favorable influence on the agricultural interests of this state, would swell this report beyond any reasonable limits. There are, however, two branches of domestic manufactures which are so immediately connected with the subject of this inquiry, and which have so direct and beneficial an influence on the agricultural interests and the settlement of the unseated lands of the commonwealth, that your committee will present some views and details, illustrating the great and important interests which the state has, in the maintenance of an efficient system for the protection of the industry of the country.

The protection which was afforded by the tariff act of 1824, and particularly by the tariff of 1828, to wool and woollens, has produced results exhibiting the advantage which the encouragement of this branch of manufactures has been to the agriculture of the country, and the immense benefits it will hereafter confer, if the system should continue unimpaired. The extent of the demand for the raw material and the manufactured article, the value of it, the comfort of it, and the absolute necessity of it, in a community of 13,000,000 of people, combine to make wool and woollens the most extensive manufacture of the country. The extensive ranges of land which the subsistence of sheep require for the production of wool, the agreeable and profitable diversity it introduces in the pursuits of husbandry, and the large amount of the produce of the soil necessary to subsist those employed in the manufacture, render the encouragement of this branch particularly advantageous to the interests of the state; and more particularly, as its extension is calculated to create a demand for the unseated lands of this commonwealth. A reference to the documents, contained in the proceedings of the convention of manufactures held at New York, will exhibit the most satisfactory proofs of the benefits conferred on the agriculture of the country, by the protection afforded to the growth of wool and the manufacture of woollens.

"From data founded on returns, from information received, and from calculations based on that information, it appears that

The probable number of sheep in the United States, is 20,000,000, and worth on an average, \$2 per head, \$40,000,000
The sheep farms, generally, do not support three sheep to the acre, summer and winter, though the land be pretty good and well managed. Of the 20,000,000 of sheep, it is supposed that about 5,000,000 are in the state of New York, having had 3,496,539 in 1825, the latest returns at hand; and it is known that many of these sheep are fed upon lands worth from 15 to 30 dollars per acre; and in Dutchess county, in which are over 500,000 sheep, the lands on which they are fed are worth about \$25 per acre. It is then probable, that the average worth of farms in the United States, capable of supporting three sheep to every acre, throughout the year, are worth \$10 the acre; 20,000,000 of sheep will require 6,666,666 acres—say 6,500,000 acres at \$10, 65,000,000

Capital in sheep, and land to feed them, \$105,000,000
The 20,000,000 of sheep, produce 50,000,000 pounds of wool annually; the average value of which, for three years, 1829, 1830, 1831, exceeded 40 cents per pound, or \$20,000,000. (The crop of 1831, was worth more than \$25,000,000.) The crop of wool having a reference to the whole quantity made into cloth of various qualities, is worth \$40,000,000, which is about the gross annual product of wool and its manufactures in the United States. If the woollen goods imported, valued at \$6,000,000 be added, there will be allowed for each person in the United States, \$3.50 worth of woollen goods per annum, including blankets, carpets, &c. as well as clothing.

The fixed and floating capital vested in the woollen manufactories in the United States, such as lands, water rights, buildings, machinery and stock on hand, and cash employed, may be estimated at 40,000,000

Capital directly vested in the growth and manufacture of wool, \$143,000,000

The proportion between the amount of wool used in the factories and worked up by household industry, are as three to two; and on the average, it will employ one person to work up 1000 pounds of wool annually, or 50,000 persons in the whole.

It is reasonable to suppose that each labourer subsists two other persons: say 150,000 in all, deriving a direct support from the woollen manufacture, whether household or otherwise.

Each person will consume at least twenty-five dollars worth of agricultural products annually, or \$3,750,000 worth of subsistence.

The average products of farms, cultivated for the supply of food, does not exceed \$2.50 per acre yearly, af-

ter subsisting the cultivators and those dependent on them. It will therefore require 1,500,000 acres of land to feed those manufacturers and their dependants—worth, say \$15 per acre, is

22,500,000

Capital involved in the growth and manufacture of wool in the United States,

\$167,500,000

The annual value created by, or accruing to agriculture, because of the growth and manufacture of wool, may be thus shown:

Wool,	\$20,000,000
Provisions to manufacturers,	3,750,300
Fuel, timber, and other products of the land, supplied,	500,000
Charges for transportation, and food of horses and other animals employed, because of the factories,	500,000
	<hr/> \$24,750,000

The following should rightfully be added to show the whole operation of the woolen manufactures in the United States.

For every 100,000 pounds of wool manufactured, there is a constant employment, equal to the labour of six men, in the erection and repair of buildings, millwrights' and blacksmiths' work, and, in the building and repairing of machinery, whether for wool worked up in the factories or in families—say 3000 men, whose labour subsists at least 9000 other persons—12000 in all, and consume each \$25 worth of agricultural produce annually, is

300,000

\$25,050,000

Making the whole number of persons employed, because of the manufacture of wool, 162,000; and requiring of the product of agriculture, for materials and subsistence, the very large amount, per annum, of twenty-five millions and fifty thousand dollars. And it should be observed that there is no foreign market to which we can send our twenty-five millions worth of wool, and breadstuffs, and meats. It would all be as if annually lost to landholders and cultivators, were the home market destroyed, in abandoning the manufactures of wool; and those who are now consumers of the products of agriculture, must, of necessity, become producers, and lessen the prices of grain, &c."

This branch of industry may be said to be in its infancy, not being more than ten years old. If sustained by the government, its extension, and the benefits it will confer on the agricultural interests of the country, and on the settlement of the unseated lands of the commonwealth, are incalculable.

In this state, it is believed that the production of wool has progressively increased, under the protection afforded particularly by the tariff act of 1828. In Washington and Greene counties, possessing a soil and range of country particularly adapted to the raising of sheep, the attention of farmers has been extensively directed to the production of wool; and the number of sheep in those counties is represented to exceed 200,000. In other counties of the state, there is a gradual increase of attention to this interesting branch of husbandry. All that is required to make it a staple production of the state, is confidence in the protection of the government, necessary to foster and sustain this great and growing interest. There is no state in

the Union whose soil and climate are so well adapted to the business, and there is no description of lands presenting more favorable ranges for the rearing of sheep, than the unseated lands of this commonwealth.

The branch of manufactures in which this state is more immediately interested, because of the great natural advantages it possesses, the progress it has made, and the great amount of agricultural productions consumed in it, is *iron*. In the first report of Alexander Hamilton, the Secretary of the Treasury, *prohibitory duties* are recommended in favor of the manufacturers of this article, in which they are represented as entitled to "*pre-eminent rank*." "None," says the report, "are more essential in their kind, none so extensive in their uses. They constitute in whole or in part, the implements or materials, or both, of almost every useful occupation. Their instrumentality is every where conspicuous. It is fortunate for the United States, that they have peculiar advantages for deriving the full benefit of this most valuable material, and they have every motive to improve it, *with systematic care*."

In no state in the Union, are there to be found the same facilities for the production of iron, as in Pennsylvania; in no state has there been so great a progress in the manufacture of it. If, in general estimation, its importance ranks so high, the manufacture of iron is of no less importance to the *value* of the products of the soil, than is the material itself to the cultivation of it. There is no single branch of manufacture, in proportion to its value, which requires in its production so large an amount of manual and animal labor, and which consumes so large an amount of the products of agriculture. In short, it is all labor except the moderate profit of the manufacturer, for the capital invested and the risk encountered; and its importance to the agriculture of the state, may be traced in the various operations of extracting the ore from the bowels of the earth; the transportation of it to the furnace; the preparation of the charcoal, and the transportation of it; in the process of smelting the ore; the transportation of the pig metal to the forges; the preparation of the charcoal; the labor employed in refining the pig metal and drawing it into malleable bars; and the transportation of the manufactured article to market.

To exhibit more in detail how large a portion of agricultural products are consumed in the manufacture of iron, the committee have annexed a statement, published in the proceedings of the New York convention, made by two experienced manufacturers of iron of this state, whose calculations have been verified by a comparison with returns from 72 furnaces and 132 forges.

For each ton of bar iron and castings made, the following agricultural produce is found to be consumed:

20 bushels wheat and rye, average at 75 cts.	\$15 00
57 lbs. of pork,	do. 5 2 85
43 lbs. of beef,	do. 4 1 72
10 lbs. of butter,	do. 12 1 25
2 bushels of potatoes,	do. 30 60
$\frac{1}{2}$ ton of hay,	do. 7 50 5 50

For every ten tons of bar iron, one horse is employed one whole year, worth \$100— and experience shows that the mortality among horses so employed, is per annum one in seven, and constitutes a charge per ton, of

1 43

For fruit and vegetables, of which no return has been made, we feel justified in putting down

1 00

\$27 35

Which, multiplied by the quantity of bar iron and castings, will give the sum of \$3,415,850, paid by the iron manufacturers, and those employed by them, to the farmers.

For the purpose of illustrating more distinctly the immense benefits which the encouragement now given

to domestic manufactures has conferred on the agricultural interests, the following table, derived from the same source, founded on actual returns, is submitted—showing the amount of pig metal and bar iron annually manufactured in the United States; the value of it; the number of men employed in it, and of persons subsisted; as well as the annual wages, and the amount paid to farmers for food furnished.

	By the report.	Supplementary returns.	Total.
Bar iron made in the U. States, <i>tons</i>	96,621	16,245	112,866
Pig iron, the whole quantity made being computed as such, <i>tons</i>	163,542	27,994	191,536
Value, <i>dollars</i>			13,329,760
Men employed, <i>number</i>	24,979		29,254
Persons subsisted, <i>number</i>	124,895		146,273
Annual wages, <i>dollars</i>	7,493,700		8,776,420
Paid for food furnished by farmers, <i>dollars</i>	3,415,850		4,000,490

These are facts which carry with them their own demonstration of the favorable influence of this important branch of domestic manufactures. And to show more conclusively how much the agricultural interests of the state have at stake, in the encouragement of the manufacture of iron, the subsequent statement, founded on actual returns, is submitted:

"The committee of manufactures of iron, appointed by the convention assembled at Philadelphia, to examine the returns received in answer to the circulars addressed to different individuals engaged in that branch of industry, report the following tabular statement, as the result of their investigations:

States.	1830.			1829.			1828.		
	Tons of castings.	Tons of pig iron.	No. of furnaces.	Tons of castings.	Tons of pig iron.	No. of furnaces.	Tons of castings.	Tons of pig iron.	No. of furnaces.
Pennsylvania,	5,606	31,056	45	4,564	27,425	44	3,693	24,822	44
New Jersey,	5,615	1,671	10	5,998	1,941	11	6,283	1,733	11
Maryland,	1,259	3,163	6	1,065	1,175	5	2,247	2,400	6
Virginia,	43	538	2	72	702	2	50	400	2
Ohio,	260	5,400	7	350	450	1	350	450	1
Delaware,	350	450	1						
Missouri,	250	590	2						
	73,428	868	73	12,049	32,233	63	10,840	29,652	63

The manufacture of iron has been gradual, and of slow growth, requiring the investment of large capital, and incurring more than ordinary risks. The iron works of the state are now increasing, and greatly improving, and will continue to multiply, if sufficiently protected. Their establishment has been the work of time; but so much easier is it to pull down than to build up, that what has been the work of an age may be destroyed in a day. The power which has raised them up under the fostering wings of its protection, may expose them to destruction by the withdrawal of it. That such will be the effect of the frequent and gradual reduction of the duties designed for their protection, there can be no doubt. In such an event, next to the manufacturer, who will lose his capital, the farmer will sustain the greatest loss, in being deprived of so near a market for the produce of his farm. What effect the extension of the establishments for the manufacture of iron, would have on the settlement of the unseated lands of the commonwealth, may be estimated by the fact, that iron works, for the most part, have their location in lands of that description.

In presenting in more detail the manufactures of woollens and iron, to illustrate the benefits of the system of protection on the agricultural interests of the state, the committee do not wish to be considered as undervaluing the instrumentality of the other various branches of manufactures in producing correspondent effects. They believe that the statistics of the manufacture of cotton, would exhibit a most extensive influence on the interests of agriculture, in the vast number of persons employed in it, deriving their subsistence from the agriculture of the grain-growing states. They are far from considering any branch of manufactures as entitled to exclusive protection; and in their estimation, all the branches of manufactures contribute their share of beneficial influence on the agriculture of the state, and are entitled to the fostering care of the government.

The resolution proposes a further inquiry into the influence of the encouragement now given to domestic manufactures, on the purchase and settlement of the unseated lands of the commonwealth; and would seem to indicate that there might be a difference in the operation of the system on this interest and on that of agriculture. The unseated lands embrace a large extent of the territory of this state; and the means of accelerating their settlement and improvement must be an object of deep solicitude to the state, demanding at all times its superintending care. It is believed that, as far as regards a legislative inquiry into this subject, it has the character of novelty, and is, therefore, deserving of investigation. If it should be the fact, that the encouragement given to manufactures has affected injuriously the settlement of the unseated lands of the commonwealth, it is time that it should be known, and the nature and extent of it satisfactorily ascertained. It might, too, furnish a peg to the enemies of the Protecting System, on which to hang a doubt of the interest which the state has in that system; and in this view, the committee have considered the subject deserving of particular notice. In considering the subject then, they would observe, that whatever system would have the effect to advance the general interests of agriculture, by enhancing the productions of the soil, and consequently the price of land, would seem to have a tendency to bring into cultivation a larger extent of territory, and create a demand for improved lands. And if the views which your committee have presented, have satisfactorily exhibited the advantages which the encouragement given to manufactures have been to agriculture; the inference appears to them just and fair, that the unseated lands have participated in those advantages. The committee are aware, that an opinion has been broached, that the introduction of manufactures has checked the spirit of emigration in those districts where it existed to the greatest extent,

by affording a more profitable employment at home. Such an opinion, it is believed, is not supported by facts, nor sustained by the evidence of the progress of emigration to, and settlement of, the unseated lands of the United States. The tariff laws being general in their operation over the whole Union, their influence, if unfavorable, would be discernible in other states, where new lands of this description are located. In the fact, that the unseated lands of several states have been, for the last ten years, more extensively settled than at any previous period, is to be found a contradiction of the opinion, that the encouragement of domestic manufactures has operated as a check on the spirit of emigration. Indeed, the rapidity of the growth of several of the western states in population and general prosperity, has been the subject of especial wonder, and is unparalleled in the history of the world. In 1790, the extensive region north-west of the Ohio was a howling wilderness—the abode of the savage. Since that period, there have been carved out of this extensive territory, no less than four states, one of which contains, at the present moment, a population approximating to that of the old settled state of Pennsylvania. But within the last ten years, under the operation of the system of the protection of domestic manufactures, the increase of the population in those states has been most rapid and astonishing, as appears by a comparison of the census of 1820 with that of 1830. The state of Ohio, in 1820, had a population of 581,424; in 1830, it had increased to 937,696. Indiana, in 1820, had a population of 147,178; in 1830, it had increased to 341,582. Illinois, in 1820, had 55,211 inhabitants; in 1830, they amounted to 157,575; and in several of the other states, and even territories, there has been a correspondent increase of population. This rapid growth of the population of the states referred to, would seem to justify the opinion, that there had been no check on emigration. On the contrary, the inference would appear rational, that the prosperity imparted to the agriculture of the country, by the creation of a home market, through the agency of the protecting system, had given a new impulse to the spirit of emigration; and had, by the general and profitable employment afforded by domestic manufacturers, furnished the means to thousands, which enabled them to indulge their preference of the pursuits of agriculture in the western states.

The population of Pennsylvania has not increased in the same ratio with the states referred to. In 1820, it was 1,049,398, and in 1830, had only increased to 1,350,301; and it appears from the tables, showing the population at those periods, that this increase had been principally in the settled parts of the state. That there has been an unreasonable delay in the settlement of the unseated lands of the commonwealth, is sufficiently attested by a comparison of the increase of population in those counties where lands of this description are located, with that of the western states referred to: And it becomes necessary in the inquiry imposed on the committee, to trace the causes which have produced it, in order to ascertain whether the encouragement now given to domestic manufactures has had any share in it.

The illustrious founder of Pennsylvania, in becoming the proprietor of its extensive territory, was not actuated by the sordid ambition of becoming rich; but by the noble ambition of founding an empire, which should become the habitation of a populous, industrious, and moral community. To accomplish this object, his first efforts were directed to invite the settlement and improvement of his provinces; and all the provisions and regulations of his land office, were admirably devised to encourage its speedy settlement. The titles derived from improvement and settlement rights, location, applications and warrants, were wisely calculated to attract settlers; and were directed, to use his own language, “to the end that the province might not lie like

a wilderness, as some others do, in vast vacant tracts of lands, but be regularly improved for the benefit of society,” &c. And it is believed, that under the judicious and prudent provisions of his land office, the settlement of Pennsylvania was more rapid than that of any of the North American colonies. After the establishment of the independence of the country, and the erection of the government of this state, by which the proprietorship of all the unappropriated lands within its territory became vested in the commonwealth, the usages and customs of the land offices, established under the proprietary government, were adopted by the state, in disposing of the vacant lands. Unfortunately, soon after, there sprung up in the state a spirit of speculation in the public lands, as wild as the *South Sea bubble*, or the Mississippi scheme. So monopolizing was its spirit, that in a few years, it wrested from the state almost its entire territory, which became parcelled out in *vast vacant tracts*, and vested in companies and individuals, citizens of the United States and foreigners. At an early period of the government, the state was thus deprived of the ownership of the land; and of course, of the power of disposing of the public lands, in a way that would have best promoted their early settlement. So long as this spirit of speculation kept up, the lands were held at prices too high to encourage their settlement; and when the spirit drooped, apathy succeeded to disappointment, and in many instances the means of promoting their settlement were neglected. The non-resident proprietorship of them, in time exposed them to the intrusion of a description of persons unfavorable to their improvement, and led to a derangement of the titles, which gave rise to litigation and law-suits. The state, too, no doubt under a feeling of irritation, produced by a sense of having been overreached by the speculation in those lands, interfered, and, by a series of injudicious legislation, increased the embarrassments in the titles; a want of confidence was the consequence, imposing an additional check on the settlement of them. In the mean time, the public lands of the United States came into the market, including the territory, now the state of Ohio, and the other western states; possessing great advantages in the rich exuberance of soil, health of climate, and a natural outlet to market. These advantages, in conjunction with the mode adopted by the U. States in disposing of them, the fixed rate of prices, (\$1 25 per acre,) the establishment of regular land offices, where applicants might resort for information, and the periodical sale of them, attracted to the western states the flowing tide of emigration. It is not to be wondered, that in contrasting these advantages of the western states, with the unseated lands of this state, and the difficulties created by the improvident manner of their disposition, that they should have been passed by, and a preference given to the settlement of the western lands. These circumstances, it is believed, explain the causes which have operated so adversely on the settlement of the unseated lands of this commonwealth.

Some of these causes are still in operation, and must continue to have a most injurious influence, until the only measures calculated to afford relief, shall be consummated by the state. If the commonwealth had not acted so improvidently, in disposing at an early period, of the territory of the state, in vast vacant tracts, it would have had the power of counteracting, in some degree, the advantages held out by the western states, by reducing the prices, so as to afford some temptation to settle the public lands. Regulated by the maxim, that the wealth and strength of a community depend on the number and industry of the people, the policy of the state would have been directed to the settlement and improvement of its territory, without regard to the price of the land. Not so with the companies and individuals in whom these lands are vested; the price being with them the primary object.

The only measure which it is now within the power of the state to adopt, to promote the settlement of the unseated lands, is the system of internal improvement, in which it is now embarked. On the completion and extension of this system, rest all the hopes of accomplishing so desirable an end. The exertions which are making by rival states, to attract emigrants to their respective territories, would seem to require a vigorous prosecution of this system, as a measure of defence; and it is suggested whether the fact of the state having disposed of these lands so improvidently, does not strengthen the claims of those districts in which they are situated, to this only means of encouragement of the settlement of the unseated lands of the commonwealth.

The subject of internal improvement, as connected with the purchase and settlement of the unseated lands of this commonwealth, naturally suggests the consideration of the agency which the encouragement of domestic manufactures had in giving birth to that system. Between the two systems, the encouragement of domestic manufactures and the improvement system, there is a wonderful affinity. They are cause and effect; and so intimate is their association, that they have been classed under the peculiarly happy and appropriate appellation of the *American System*. So natural is their connexion, that as early as 1816, the late Vice President of the United States, now a senator in congress from South Carolina, in giving the force of his powerful mind to the defence of the system of protecting the industry of the country, adverted to it in his usual felicitous manner.

"Manufactures," he said, "produced an interest strictly American, as much as agriculture. In this, it had the decided advantage of commerce or navigation, and the country will derive from it much advantage. Again, it is calculated to bind together more closely our wide-spread republic. It will greatly increase our mutual dependence and intercourse; and will, as a necessary consequence, excite an increased attention to internal improvement—a subject every way intimately connected with the attainment of national strength, and the perfection of our political institutions."

If the connexion between these two systems, as cause and effect, is so palpable, the relative obligations they impose on the general and state governments are no less plain and obvious. The duties on imports are the only means by which the influence of foreign regulations, affecting injuriously the industry of this country, can be counteracted. The states have not only granted the power of laying duties on imports to the general government, but have actually restricted themselves from exercising the power, unless with the consent of congress. This power was, doubtlessly, thus granted to the general government, to be exercised when the occasion and necessity demanded. The object of the exercise of the power being to afford to the industry of the country the opportunity of its development; the actual exercise of it by the general government would seem plainly to impose on the states the obligation of affording every possible facility, within their respective territories, for the most rapid development of the branch of industry for which the protection was granted. It is only by mutual co-operation of this kind that manufactures can be established in this country, on a scale commensurate to the necessities of this growing community. In no state of the Union is that obligation imposed with so great a force as in the state of Pennsylvania, whose territory abounds with all the materials indispensable to the success of the system. And your committee consider, that a state, which, possessing resources necessary to an early development of the manufacturing industry of the country, and enjoying the protection afforded by the general government, should neglect to afford the proper facilities within its power, would forfeit all equitable claims to the continuance of the protecting system.

Such is not the case with regard to the claims of the

state of Pennsylvania. It is confidently believed, that in commencing her system of internal improvement, this state felt the full force of the obligation imposed on her by the policy adopted by the general government; and the scale of improvement was adopted, to afford a full development of her immense natural advantages. The tariff act of 1824, gave the great impulse to the manufacturing enterprise of the country. The system of internal improvement was commenced in 1825, and had its origin in the spirit which was created by the tariff of 1824. The points of termination of the canals, and the character of the country through which they pass, sufficiently indicate that the great object of their construction was to afford a speedy development of the natural advantages of the state for manufactures. The main line was designed to connect the great manufacturing city of the west with the commercial emporium of the east, then rapidly advancing in manufactures; and to give greater expansion to the system, by forming a connexion with the lakes. The west and north branches of the canal extended into, and terminated in the midst of the unseated lands of the commonwealth. They were designed to bring into immediate use, the rich minerals they possessed, which were indispensable to the successful prosecution of the various branches of domestic manufacture. For the mere purpose of domestic use, the demand for coal must and will ever be extremely limited, and would not have justified the tenth part of the expenditure already incurred. The value of this important mineral is derived from its application to the arts and manufactures of the country: It is to her coal mines, that Great Britain is indebted for that tremendous power of production, which has made so many nations tributary to her workshops, and for the immense capital she has accumulated, which has made London the banking house of the commercial world. And it is to the minerals, and particularly to her coal, that this state is to be indebted for that pre-eminence in wealth, population and power, which is to distinguish her future career. The entire region of anthracite coal is confined to the territory of this state, extending over ten counties; and the bituminous coal is scattered in endless profusion, in almost a continuous range from the north branch of the Susquehanna, in Bradford county, to a point approaching to lake Erie, embracing nearly one half of the territory of the state. The coal trade is yet in its infancy, and the immense advantages already developed, afford the most conclusive evidence of the prosperity that will follow its progress to maturity.

The county of Schuylkill, some ten years past, was a county of unseated lands, and almost a barren wilderness; it has now a population of 20,000 souls, and bids fair to rival, in the value of its assessable real property, the richest agricultural counties of the commonwealth. In the mountains of Northampton, amidst its unseated lands, in the same space of time, a new creation has sprung up, in the improvements of the Lehigh company. In the remote county of Wayne, its unseated lands have become the busy scene of industry, and have rapidly grown in population, under the enterprising efforts of the Delaware and Hudson canal company. The unseated lands contiguous to the canals of this state, have experienced the most extensive improvement, from the mere expenditure of money in their construction. Rail roads and canals are daily projected, all leading to and terminating in the unseated lands, and all directed to render available their vast mineral wealth. Companies have already been incorporated, and surveys made for rail roads from the heart of Tioga county, to the Chemung canal in New York; from Williamsport, on the West Branch canal, to the same point; and from Phillipsburg, in Centre county, to connect with the Pennsylvania canal, in Huntingdon county. An application is now made to the legislature, to incorporate a company, composed of capitalists of Massachusetts, for mining and transporting coal, and manufacturing coke, in Lycoming county, which has already expended

\$100,000, and whose plan of operations requires the expenditure of half a million. The capitalists of other states are looking with an eager eye to the coal region of this state. On the extent of the demand which may be created for this most important article depends the success of these improvements, as well those which have been completed, as those under progress, or which have only been projected. On the extension of the manufacturing system, depends the demand which will be created for this mineral. Without the protection of the government, it is universally admitted, manufactures cannot flourish, and most certainly will not be extended in their operations. The unseated lands, then, have every thing at stake, in the encouragement given to domestic manufactures. With an efficient protecting system, their settlement and improvement will advance with the extension and expansion of the manufactures of the country.

The excellence of the system of protection to the manufactures of the country, is displayed in the diffusive power, by which it is made to promote the general prosperity of all, and to create a mutual dependence of every section of the country within the sphere of its operation. In this view of its operations may be seen how deep an interest Pennsylvania has in the prosperity of the manufactures of the other states, more particularly of those of New England—affording already the principal market for her coal, and consuming, as has been before stated, bread stuffs from the grain growing states, equal to a million of barrels annually.

In the opinion of your committee, the purchase and settlement of the unseated lands, have by far the deepest interest at stake, in the protection of manufactures: In proportion as manufactures flourish, so will the settlement and improvement of lands extend; and the rapidity of their future settlement may be estimated, by the extraordinary increase of the population of those districts where the coal trade has been brought to bear in its present partial and imperfect state. Under the system of protecting the industry of the country, the treasures of this extensive region of the state will be brought to light; capital will be invited to bring them into use; and population will be attracted by the manufacturing establishments which will be there located, and by the laborers required in mining and transporting the coal, and providing and raising the products of agriculture required for their subsistence.

There is now pending in Congress, a bill in relation to the public lands of the United States, which, as it may affect the purchase and settlement of the unseated lands of this commonwealth, is deemed worthy the notice of the committee; although not strictly within the sphere of the inquiry proposed by the resolution. At the last session of Congress, a bill to distribute the revenue derived from the sale of these lands, among the several states, in the ratio of their representation, was introduced into the Senate. So perfectly proper was this measure considered, as it regards every principle of justice, expediency and public policy, that it passed the Senate by a large majority. It was well known there was a decided majority in its favor in the House of Representatives, where it was introduced at the close of the session: the action of the House was, however, suspended on this bill, by a motion to lay it on the table; and what is most remarkable the majority by which this motion prevailed, was made by the votes of the representatives of this state. The general disappointment which exhibited itself in this state, was only quieted, by the assurance that the bill would certainly become a law at the present session. On the very threshold of the anticipated enjoyment of the amount which would be received by the state, (and which it is believed would be \$280,000 annually,) a new project for the disposal of those lands has been suggested in the first message of the President to Congress at the present session, carrying with it the weight of a personal recommendation, well calculated to secure its ultimate suc-

cess. The project is no less than that of passing a bill to destroy this branch of the revenue of the government; to relinquish the interest which the several states have in the public lands, to the states in which they are located; and in fact to give them away, and throw them open to a general scramble. If the present mode of disposing of the public lands has, as your committee believe, operated injuriously on the settlement of the unseated lands of this state—how much more mischievous will be the operation of this new mode of giving them away?

The fact that the settlement of the lands of this state has been impeded, by the extensive market opened for the sale of the public lands of the United States, would seem to strengthen the claims of the state, to a distributive share of the revenue derived from this source. But by the new project, the state is called on, not only to forego this seasonable relief to her finances, but to relinquish all right and interest in those lands, and consent to a prodigal, free-will offering of them, by which the settlement of her unseated country will not only be retarded, but most of the present settlers be seduced to abandon improvements they have already made. A project more mischievous to the interests of this state, could not be devised, short of depriving it of the system of protecting domestic industry. A mere glance is sufficient to exhibit its hostility to the interests of Pennsylvania. The bill which passed the Senate last Session of Congress, for the distribution of the proceeds of the public lands, has lately passed the same body, at the present session, and is now pending in the House.

The final disposition of this important measure, cannot fail to be a subject of deep solicitude to the people of this state, and more particularly to that portion of them most interested in the speedy settlement of the unseated lands. The insinuation of a doubt, that a single member of the House, representing this state in Congress, could for a moment give his countenance to the project recommended by the President, or refuse to give his vote in favor of the bill which has passed the Senate, would be an impeachment of the fidelity he owes to his own state. The measure is, however, still pending in the House of Representatives; and in its decision, is involved the question, whether this state shall receive, as its portion of the revenue derived from this source, \$280,000 annually, or be divested of all interest in the public lands, and exposed to the mischievous operation of a free-will offering of them, to the people of all nations, kindreds and tongues. And your committee would suggest, whether the measure now pending in Congress, is not of that deep and momentous interest, to justify an expression of the voice of the Legislature on the subject.

In the performance of the duty assigned to your committee by the resolution referred to them, they have presented a fair, though perhaps imperfect sketch, of the facts and arguments, which, in their estimation, satisfactorily demonstrate the very great advantage which the encouragement now given to domestic manufactures, has been to the agricultural interests of the state, and to the purchase and settlement of the unseated lands of the commonwealth. These advantages are every where to be seen, in this state, in the general prosperity which pervades the whole community, and every department of industry; and they are conspicuously displayed in the great public and private works of internal improvement, in which the state and individuals are now embarked. If, in the enjoyment of the advantages which the encouragement of manufactures has already conferred, the system is sustained as the favorite policy of the state—how much greater is the interest which she has in the maintenance of this system, in the prospect of the development which the public works present. In present actual investment of nearly \$20,000,000, the state is now interested in holding fast to the protecting system; and in prospect, her interest is only to be estimated by the immensity of the resources

and treasure which the improvement system is designed to develop. To do justice to the subject, by exhibiting in detail all the advantages of the system for protecting the home industry of the country, in all the various branches of manufactures now in successful operation, would require the compass of a volume. Such a volume is happily extant, embracing the "Proceedings of the friends of domestic industry in general convention, met at the city of New York, on 26th of October, 1831,"—which will be found a most valuable compendium of the political and statistical information of the rise, progress, and present state of the manufactures of the United States; a work which, in the opinion of your committee, is well deserving of the patronage of the legislature of this state, whose interests are so closely interwoven with the protecting policy of the country.

By referring to the proceedings of that convention, it will appear that the honor of presiding over it, was awarded to a citizen of this state, whom the state had a short time previously invested with the highest dignity and most exalted trust, which it is in the power of the legislature to confer. And it may perhaps be considered fortunate, that at a momentous crisis, when the protecting system is violently assailed, and its constitutionality impugned, this state is represented in the Senate of the United States, by one, who, having given to the proceedings of that convention the solemn sanction of his name, cannot but feel an honest pride in devoting his best energies to sustain and uphold the principles, measures and policy, promulgated by that convention, approved and fortified as they have been, by the repeated resolutions of the legislature of this state at the last and present sessions.

With this view of the subject, which is respectfully fully submitted, the committee offer the following resolution:

Resolved, That the committee on agriculture be discharged from the further consideration of the resolution.

On motion, Ordered, that 1500 copies in the English language, and 500 copies in the German language of the foregoing report, be printed for distribution.

Extract from the Journal.

FRS. R. SHUNK, Clerk.

The Neptune, just launched at Portsmouth, is the largest British vessel that has ever floated; the following are her dimensions:

	Feet.	Inch.
Length on lower deck, -	205	8
do. of keel -	190	6
do. of keel for tonnage, -	170	5½
Breadth for do. -	54	7½
do. moulded, -	53	10½
do. outside of wale, -	35	6½
Depth in the hold, -	33	3
Burthen in tons, 2,505 70 95th.		
Extreme length aloft, -	242	6
do. height, forward, -	56	6
do. do. midships, -	51	0
do. do. abaft, -	11	0

We have been favored with the following dimensions of the *Pennsylvania*, on the stocks at the Navy Yard in Philadelphia.

Length	220 feet.
Beam	58 feet.
Beams on each deck	34.
Decks	5 entire.
On the spar deck she has	44 ports.
Upper gun deck,	44
Second gun do.	42
Lower do.	32

Deduct for stern and bridal ports, 22

She can mount 140 guns.
6 feet high between each deck.
20 inches thick through the sides.
26 inches at the bows.
Deck plank 5 inches thick.

N. Y. Gazette.

We published one day last week, a statement of the dimensions of the largest ship in the British Navy, to which was appended a request from the New York Gazette, that we would give the dimensions of the *PENNSYLVANIA*, now on the stocks in the navy yard in this city. We are indebted to a gentleman for the following statement:

DIMENSIONS OF SHIP OF LINE PENNSYLVANIA.

	ft. in.
Length between the perpendiculars on lower gun-deck,	220 0
Extreme length aloft,	247 0
Length of keel or tonnage,	190 0
Moulded breadth of beam,	56 9
Do. do. for tonnage,	57 0
Do. do. to outside wale,	59 0
Depth of hold,	23 0
Extreme depths amidships,	51 6
Burthen in tons 3306 23-95. Guns 140.	

We find the following in one of the New York papers, which seems to be a proper pendant to the above:

We publish the following from Mr. Ware as a curiosity.

The following is an estimate of the quantity of sail duck required for the making of one complete suit of sails, &c. for the United States Ship *Pennsylvania*, now building at Philadelphia.

Number of yards for one set of sails,	18,341
Bags, Hammocks, Boat Sails, Awnings, &c.	14,624
	32,965 yds.
Size of shrouds,	11 inches.
Main stay	19 do.
Main mast from step to fly pole	278 feet
Main yard	110 do.
Topsail yard	82 do.
Topgallant yard	52 do.
Royal yard	36 do.
Sheet anchor	10,000 lbs.
Sheet cable	25 inches.
Main topsail contains	1,531 yds.

By C. WARR, late sail maker in the U. S. Navy.

U. S. Gaz.

The correspondent of the Register of Pennsylvania, who supplied the list of Academies, in the last No. has omitted perhaps one of the most efficient institutions in the State. The "Milton Academy" was founded in 1822, and has since its commencement been under the direction of the Rev. *David Kirkpatrick, A. M.* as teacher; and has not at any time been without a full supply of pupils, principally in the classics, mathematics, &c. from this and other states. And we believe we are not mistaken, when we say that the pupils from this institution are prepared with as suitable qualifications to pursue their collegiate studies, in the various colleges to which they have recourse, as those from any of its cotemporary schools.—*Miltonian*.

Greensburg, Jan. 12.

A Black Snake was killed in the vicinity of Mr. Harold's Salt Works on the division run between South and East Huntingdon townships, on the 9th inst. which measured upwards of five feet.

STATEMENT OF DEATHS, WITH THE DISEASES AND AGES,

In the City and Liberties of Philadelphia, from 1st of January, 1832, to the 1st of January, 1833.

DISEASES.	Males.	Female.	Boys.	Girls.	Under 1 year.	From 1 to 2.	From 2 to 5.	From 5 to 10.	From 10 to 15.	From 15 to 20.	From 20 to 30.	From 30 to 40.	From 40 to 50.	From 50 to 60.	From 60 to 70.	From 70 to 80.	From 80 to 90.	From 90 to 100.	From 100 to 110.	From 110 to 120.	TOTAL.
Apoplexy	39	39	4	4	2	3	0	0	0	3	8	15	14	11	10	10	1	1	0	0	78
of the Lungs	1	2	0	1	0	1	0	0	0	0	1	0	0	0	0	0	0	0	0	0	3
Atrophy	14	9	11	6	8	3	3	2	0	1	0	1	1	1	0	3	0	0	0	0	23
Abscess	11	8	6	2	4	1	1	1	0	1	3	4	2	2	0	0	0	0	0	0	19
in the Brain	0	1	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Liver	2	1	0	1	1	0	0	0	0	0	2	0	0	0	0	0	0	0	0	0	3
Lungs	2	2	1	1	0	0	0	2	0	0	0	1	0	0	1	0	0	0	0	0	4
Disease of the Brain	1	2	1	2	0	0	2	0	0	1	0	0	0	0	0	0	0	0	0	0	3
Throat & Chest	1	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Asthma	4	7	0	0	0	0	0	0	0	0	1	0	1	2	2	4	1	0	0	0	11
Aneurism	3	0	0	0	0	0	0	0	0	0	1	1	1	0	0	0	0	0	0	0	3
Aphthæ	2	4	2	4	6	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	6
Angina Pectoris	1	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Arachnitis	2	2	2	1	0	1	1	1	0	0	1	0	0	0	0	0	0	0	0	0	4
Asphyxia	10	2	4	2	6	0	0	0	0	4	1	1	0	0	0	0	0	0	0	0	12
Bronchitis	50	47	40	30	31	12	19	6	0	2	8	3	5	3	2	4	1	1	0	0	97
Burns	7	14	6	10	3	1	5	1	1	1	1	1	1	0	2	0	0	0	0	0	21
Blows rec'd in Fighting	1	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	1
Cancer	8	20	2	2	1	0	1	1	1	0	1	5	8	3	4	2	1	0	0	0	28
Consumption	338	343	58	74	32	16	22	17	10	35	183	151	111	47	32	20	4	1	0	0	681
Convulsions	175	167	160	147	196	52	41	11	7	0	10	13	7	2	1	1	1	0	0	0	342
Catarrh	29	22	26	21	25	10	7	4	1	0	0	0	1	1	0	1	1	0	0	0	51
Child-Bed	0	5	0	1	0	0	0	0	0	1	1	2	1	0	0	0	0	0	0	0	5
Croup	62	48	60	47	38	25	36	6	2	0	1	0	0	1	1	0	0	0	0	0	110
Casualties	14	6	5	6	0	1	3	3	2	2	3	3	0	3	0	0	0	0	0	0	20
Cholic	7	6	5	3	6	1	0	0	0	1	2	0	1	1	1	0	0	0	0	0	13
Constipation	2	1	0	0	0	0	0	0	0	0	2	0	0	0	0	0	1	0	0	0	3
Caries	2	1	1	1	1	0	0	0	1	0	1	0	0	0	0	0	0	0	0	0	3
Chicken Pox	1	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Concussion of the Brain	2	1	1	0	0	0	1	0	0	0	1	0	0	1	0	0	0	0	0	0	3
Congestion of the Brain	0	1	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	1
Lungs	5	1	1	1	0	2	0	0	0	2	0	0	0	2	0	0	0	0	0	0	6
Cramp in the Stomach	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	0	0	0	2
Cachexy	0	3	0	1	1	0	0	0	0	0	1	0	0	0	0	0	0	1	0	0	3
Cephalalgia	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	1
Cerebral Irritation	1	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Cholera Morbus	46	27	13	3	0	2	5	7	1	1	14	15	9	9	5	5	0	0	0	0	73
do Malignant	563	385	74	50	4	5	33	39	20	23	185	237	168	103	75	48	6	1	1	0	948
do Infantum	201	165	201	165	228	106	28	2	2	0	0	0	0	0	0	0	0	0	0	0	366
Coup de Soleil	1	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	1
Chorea Sancti Viti	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	1
Debility	138	121	95	70	136	11	12	4	1	1	6	8	8	48	22	18	1	3	0	0	259
Diarrhœa	96	76	60	53	49	33	21	8	1	1	13	11	9	9	8	7	2	0	0	0	172
Dropsy	53	62	19	19	5	5	11	11	4	2	11	17	15	7	5	4	1	0	0	0	115
in the Head	109	78	102	78	58	56	43	20	2	1	3	3	0	1	0	0	0	0	0	0	187
Breast	33	29	10	12	4	2	8	3	2	3	5	8	7	8	5	4	3	0	0	0	62
Spine	2	0	2	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2
Dyspepsia	5	4	0	1	0	1	0	0	0	0	0	0	0	2	3	0	0	1	0	0	7
Disease of the Spine	2	2	1	2	0	1	1	0	1	0	0	1	0	0	0	0	0	0	0	0	4
Heart	11	7	5	4	2	2	2	0	2	1	2	0	1	3	1	1	0	0	0	0	18
Hip-Joint	1	2	1	2	0	0	1	1	1	0	0	0	0	0	0	0	0	0	0	0	3
Liver	2	3	1	2	2	1	0	0	0	0	0	1	0	0	1	0	0	0	0	0	5
Head	5	1	5	1	4	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	6
Chest	1	1	0	1	0	0	1	0	0	0	0	0	1	0	0	0	0	0	0	0	2
Bladder	2	0	0	0	0	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	2
Stomach	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1
Bowels	2	1	1	0	0	0	1	0	0	0	0	1	1	0	0	0	0	0	0	0	3
Womb	0	1	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	1
Dysentery	47	31	25	14	8	11	9	8	1	2	4	11	5	4	9	4	2	0	0	0	78
Drowned	52	3	8	2	0	1	2	4	2	10	21	6	7	1	0	0	0	0	0	0	55
Decay	2	2	0	0	0	0	0	0	0	0	0	1	0	0	1	2	0	0	0	0	4
Diabetes	1	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	1
Drinking Cold Water	2	0	0	0	0	0	0	0	0	0	0	1	0	1	0	0	0	0	0	0	2
Epilepsy	2	5	1	2	2	0	1	0	0	0	1	1	1	0	1	0	0	0	0	0	7
Carried over.	2175	1775	1023	850	860	366	320	166	66	86	493	541	391	259	197	142	42	10	1	0	3950

STATEMENT OF DEATHS—CONTINUED.

DISEASES.	Males.	Females.	Boys.	Girls.	Under 1 year.	From 1 to 2.	From 2 to 5.	From 5 to 10.	From 10 to 15.	From 15 to 20.	From 20 to 30.	From 30 to 40.	From 40 to 50.	From 50 to 60.	From 60 to 70.	From 70 to 80.	From 80 to 90.	From 90 to 100.	From 100 to 110.	From 110 to 120.	TOTAL.
<i>Brought over</i>	2175	1775	1032	850	860	366	320	166	66	66	493	541	391	259	197	142	42	10	1	0	3950
Erysipelas	6	15	2	8	8	1	1	0	0	0	1	4	1	3	2	0	0	0	0	0	21
Eff. on lungs and brain	4	0	3	0	1	1	1	0	0	0	0	0	0	0	0	0	0	1	0	0	4
Enlargement of heart	0	1	0	1	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	4
Spleen	1	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	1
Empyema	0	1	0	1	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	1
Eruptions	4	2	4	2	6	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	6
Fever	46	35	23	16	10	6	11	7	2	3	16	7	7	5	4	2	1	0	0	0	81
Scarlet	154	153	150	147	22	53	144	68	9	1	3	4	0	3	0	0	0	0	0	0	307
Hectic	7	3	4	1	0	0	0	0	3	1	1	3	1	1	0	0	0	0	0	0	10
Typhus	110	86	10	15	3	1	4	6	4	7	52	44	32	22	17	2	2	0	0	0	196
Intermittent	9	6	8	4	4	2	4	1	1	0	0	0	1	0	1	0	1	0	0	0	15
Remittent	27	28	8	17	3	2	8	4	3	5	7	7	6	3	4	0	3	0	0	0	55
Bilious	28	11	8	4	3	2	3	0	3	1	12	10	2	2	0	1	0	0	0	0	39
Puerperal	0	8	0	0	0	0	0	0	0	0	3	2	3	0	0	0	0	0	0	0	8
Catarrhal	23	16	21	15	21	8	4	1	1	1	0	1	1	0	0	0	0	1	0	0	39
Spotted	1	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Nervous	9	5	3	0	0	0	0	2	1	0	4	4	1	1	1	0	0	0	0	0	14
Brain	1	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	1
Continued	2	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0	0	0	0	0	2
Found dead	14	11	6	5	9	1	1	0	0	0	0	6	7	0	0	1	0	0	0	0	25
Fistula	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	1
Fungus Hæmatodes	1	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	1
Fracture	3	1	0	0	0	0	0	0	0	0	1	1	0	0	1	0	1	0	0	0	4
Gout	1	2	0	1	0	0	0	0	0	1	0	0	0	0	1	1	0	0	0	0	3
Gravel	3	0	1	0	0	0	0	1	0	0	0	0	2	0	0	0	0	0	0	0	3
Gun-shot wound	2	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	2
Hernia	2	5	0	0	0	0	0	0	0	0	1	1	1	1	2	2	0	0	0	0	7
Hæmorrhage	16	14	4	5	4	0	2	1	0	2	7	9	1	2	2	0	0	0	0	0	30
Hysterics	0	2	0	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	2
Inflammation	2	3	0	3	0	1	0	1	0	1	0	1	0	0	1	0	0	0	0	0	5
of the lungs	124	101	77	54	43	43	29	7	5	4	19	20	19	15	9	10	2	0	0	0	225
Breast	10	9	6	6	3	3	1	0	0	0	4	0	0	0	2	0	1	0	0	0	19
Bowels	73	52	47	22	32	9	11	7	4	6	19	9	12	6	6	1	2	1	0	0	125
Brain	57	45	34	24	17	9	11	12	4	5	21	11	6	2	1	1	2	0	0	0	102
Stomach	19	22	7	10	3	3	8	2	1	0	7	5	3	4	4	1	0	0	0	0	41
Liver	14	7	1	3	2	0	0	1	0	1	4	3	3	5	1	1	0	0	0	0	21
Heart	4	0	3	0	2	0	0	1	0	0	0	1	0	0	0	0	0	0	0	0	4
Kidneys	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1
Bladder	1	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	1
of a vein	1	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	1
of the throat	24	17	22	17	6	11	15	6	0	1	0	1	0	0	1	0	1	0	0	0	41
Womb	0	2	0	0	0	0	0	0	0	2	0	0	0	0	0	0	0	0	0	0	2
Influenza	21	20	10	14	12	7	3	1	1	0	0	5	3	0	4	2	2	1	0	0	41
Insanity	3	5	0	0	0	0	0	0	0	0	1	3	2	1	1	0	0	0	0	0	8
Intemperance	4	1	0	0	0	0	0	0	0	0	3	1	1	0	0	0	0	0	0	0	5
Introsusception	1	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Irritation of the heart	1	0	1	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	1
Intestines	1	1	1	1	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2
Inanition	2	0	0	0	0	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	2
Injury of the spine	1	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	1
Inebriety	1	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	1
Jaundice	3	3	2	0	1	0	1	0	0	1	0	1	0	1	1	1	0	0	0	0	6
Laudanum to excess	4	8	1	3	3	0	0	0	0	1	3	4	1	0	0	0	0	0	0	0	12
Locked jaw	3	0	1	0	1	0	0	0	0	0	0	2	0	0	0	0	0	0	0	0	3
Mortification	12	10	5	5	1	2	5	2	0	0	1	4	3	0	1	1	1	1	0	0	22
Mania	2	4	0	0	0	0	0	0	0	1	1	4	0	0	0	0	0	0	0	0	6
a Potu	124	26	0	1	0	0	0	0	0	1	43	46	41	13	4	2	0	0	0	0	150
Measles	62	56	62	56	22	45	37	12	1	1	0	0	0	0	0	0	0	0	0	0	118
Malformation	5	1	5	1	6	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	6
Mumps	1	0	1	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1
Marasmus	28	30	26	27	19	21	10	0	1	2	2	1	1	0	1	0	0	0	0	0	58
Nervous affection	0	2	0	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	2
Old age	32	60	0	0	0	0	0	0	0	0	0	0	0	0	2	26	47	11	5	1	92
Obstruction of the liver	0	1	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	1
Ossification of semilunar valves of the aorta	1	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	1
<i>Carried over</i>	3292	2666	1593	1339	1141	598	646	314	111	132	741	765	660	351	270	199	107	26	6	1	5958

STATEMENT OF DEATHS—CONTINUED.

DISEASES.	Males.	Females.	Boys.	Girls.	Under 1 year.	From 1 to 2.	From 2 to 5.	From 5 to 10.	From 10 to 15.	From 15 to 20.	From 20 to 30.	From 30 to 40.	From 40 to 50.	From 50 to 60.	From 60 to 70.	From 70 to 80.	From 80 to 90.	From 90 to 100.	From 100 to 110.	From 110 to 120.	TOTAL.
<i>Brought over</i>	3292	2666	1593	1339	1141	598	646	314	111	132	741	765	560	351	270	199	107	26	6	0	5958
Pleurisy	14	5	0	0	0	0	0	0	0	0	2	6	7	1	1	2	0	0	0	0	19
Palsy	20	27	2	4	2	0	0	1	1	2	4	2	4	8	7	11	3	2	0	0	47
Perished of cold	0	1	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	1
Poison	0	3	0	2	0	0	1	0	0	1	1	0	0	0	0	0	0	0	0	0	3
Quinsey	4	3	4	3	2	0	5	0	0	0	0	0	0	0	0	0	0	0	0	0	7
Rheumatism	1	4	0	1	0	0	1	0	0	2	1	0	0	0	0	1	0	0	0	0	5
Rupture of blood vessel	2	0	0	0	0	0	0	0	0	0	0	1	0	1	0	0	0	0	0	0	2
Small Pox	21	16	8	5	4	3	3	2	1	0	18	5	1	0	0	0	0	0	0	0	37
Still born	155	119	155	119	274	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	274
Sudden	26	26	10	13	13	1	4	3	1	1	2	14	6	2	2	3	0	0	0	0	52
Scrofula	15	10	10	9	6	2	4	3	2	2	1	1	2	1	1	0	0	0	0	0	25
Spasms	6	0	6	0	4	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	6
Schirrhus	1	3	0	1	0	0	1	0	0	0	1	0	1	1	0	0	0	0	0	0	4
Suicide	3	2	0	0	0	0	0	0	0	0	0	3	2	0	0	0	0	0	0	0	5
Syphilis	3	5	1	1	0	0	1	0	0	1	3	3	0	0	0	0	0	0	0	0	8
Sulph. Morp. to excess	1	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	1
Scalding	0	1	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Scurvy	1	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Teething	11	3	11	3	7	6	1	0	0	0	0	0	0	0	0	0	0	0	0	0	14
Unknown	82	50	32	29	33	13	10	3	1	1	14	29	13	8	4	2	1	0	0	0	132
Ulcers	4	7	1	7	1	4	2	0	0	1	0	0	2	1	0	0	0	0	0	0	11
Violence	1	1	0	0	0	0	0	0	0	0	0	1	0	1	0	0	0	0	0	0	2
Varioloid	3	3	2	3	3	1	0	1	0	0	0	0	1	0	0	0	0	0	0	0	6
Vomiting	2	0	1	0	1	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	2
Whooping Cough	26	32	26	32	30	12	11	4	1	0	0	0	0	0	0	0	0	0	0	0	58
Worms	6	6	6	6	0	1	7	4	0	0	0	0	0	0	0	0	0	0	0	0	12
White-swelling	2	0	1	0	0	0	1	0	0	0	1	0	0	0	0	0	0	0	0	0	2
Wounds	4	0	1	0	0	0	0	0	0	1	1	2	0	0	0	0	0	0	0	0	4
	3706	2993	1871	1578	1521	643	689	336	118	142	791	836	599	375	285	218	111	28	6	1	6699

Of the foregoing there were males of 20 years and upwards, 1,835; and under 20 years, 1,871; 1,415 females of 20 years and upwards, and 1,578 under 20 years.

There were 590 returns received at the Health Office, of persons who died in the Alms-House, in the City, and 45 in the Alms-House at Blockley, during the year; 706 people of colour are included in the total number of deaths.

Agreeably to returns made at the Health Office, and collected from 162 Practitioners of Midwifery, there have been born in the City and Liberties, from the 1st of January, 1832, to the 1st of January, 1833, 3,834 male, and 3,419 female children; making the total number of births 7,253, leaving a difference between the births and deaths of 554.

Deaths in each month of the above period.

	Adults.	Children.	Total.
January,	253	361	614
February,	151	324	475
March,	218	298	516
April,	215	257	472
May,	274	299	573
June,	179	211	390
July,	200	365	565
August,	1099	590	1689
September,	215	234	449
October,	194	192	386
November,	130	127	257
December,	136	177	313
	3264	3435	6699

By order of the Board of Health.

WM. A. MARTIN, Clerk.

Health Office, Philadelphia, Jan. 1, 1833.

COMPARATIVE REMARKS.

According to the rate of increase from 1820 to 1830, we estimate the population within the limits of the bills of mortality on 1st June, 1832, (being the average period of the year,) as follows:

Suburbs,	95,609
City proper,	84,266

Total, 179,875

The number of deaths in 1832, of all diseases, being 6699, less still-born 274 = 6425, gives the proportion of deaths to population of 1 in 27.98.

Taking off the deaths by Malignant Cholera, viz. 948, will leave for other diseases 5477, being in proportion to estimated population, of 1 in 32.84.

The proportion of deaths to population in 1830, was 1 in 42.51; the population then being according to census, 167,811, and the deaths, less still-born, 3948.

In 1831, we estimate the population to have been 173,728; the deaths less still-born, were 4623, being in proportion of 1 in 37.58.

The average of the 2 years is 40.04, and the proportion in 1832, being 32.84—shows that in that year there was a small increase in deaths by other diseases than Cholera, over 1830 and 1831, of 7.20.

In 1830, the proportion of deaths in the months of June, July, August, September, to the whole number of deaths in the year was 1 in 2.34; in 1831, 1 in 2.71, and in 1832, 1 in 2.55. In this calculation, still-born

are included in all cases among the deaths; and in 1832, the cholera cases are excluded—so that there appears to have been about the usual proportion of deaths from other diseases than cholera in these months. But taking the diseases of those 4 months in each year without reference to their proportion to the deaths of the whole year, there would appear a difference against 1832 for all other diseases than cholera.

Deaths in June, July, August, and

September,	1830,	1811
	1831,	1820
	1832,	2145

The deaths by other cholera than Malignant, was in proportion to the whole number of deaths in 1830, 1 in 13.80. In 1831, 1 in 14.45; and in 1832, 1 in 12.47; being an increase in 1832 over the average of 1830 and 31, of 1.65.

Deaths by inflammation of the bowels in 1830, 1 in 46.00; in 1831, 1 in 57.07; in 1832, 1 in 43.80.

Deaths by Scarlet fever in 1830, 1 in 98; in 1831, 1 in 23.11; in 1832, 1 in 17.84—being an extraordinary increase of this disease in the two last years, and especially in 1832.

In 1830, the deaths by Typhus fever were in proportion to whole deaths, (less still-born) 1 in 77.43; in 1831, 1 in 55.03, and in 1832, 1 in 27.94, being a much larger proportion in 1832 than in the other years.

From Diarrhoea and Dysentery in 1830, the proportion was 1 in 32.09; in 1831, 1 in 22.83, and in 1832, 1 in 21.91—but a small difference.

Deaths from Consumption in 1830, 1 in 6.42; in 1831, 1 in 6.87, and 1832, 1 in 8.04—so that the proportion has been less in 1832, than in the other two years. The average proportion of deaths by this disease, from 1807 to 1828 (per table, Vol. 3, page 128,) was 1 in 6½ of the total deaths.

From Inflammation of the Lungs in 1830, 1 in 29.47; in 1831, 1 in 24.07, and in 1832, 1 in 24.34.

From Convulsions in 1830, 1 in 13.75; in 1831, 1 in 16.68; in 1832, 1 in 16.01.

From Drunkenness and Mania a potu in 1830, 1 in 33.18; in 1831, 1 in 33.74, and in 1832, 1 in 35.11.

The Measles appear to have been much more fatal in 1832, than either of the other two years. In 1830, the proportion to total deaths was 1 in 564; in 1831, 1 in 201, and in 1832, 1 in 46.41.

Of the deaths from Cholera, 563 were males, and 385 females; (of these 74 males and 50 females were under 20 years of age,) or 100 males to 68.38 females.

Of the whole number of deaths, less still-born, 3551 were males, and 2874 females, or 100 males to 89.93 females; 100 whites to 10.98 colored, being a larger proportion of coloured than usual.

For every 100 deaths there were 112.88 births.

The births were in the proportion of 100 males to 89.17 females, being a larger proportion of males, than in any one of the 10 years from 1821 to 1830; (see table, Vol. 8, page 72,) of the births, 1 in every 26 was still-born; of whom the males were in proportion of 100 to 76.77.

A company has been formed at Columbia for the purpose of procuring packet boats to run on the canal

between this and such places as offer the greatest inducements. Arrangements have already been made for the building of two boats in this place—both of which will probably be completed and ready for use at the opening of the navigation in the spring.—*Columbia Spy.*

ICE DAM.—During the next season a two and a half feet Dam is to be built across the Susquehanna at or near the borough of Lewisburg—and it is therefore proper to state, for after contingencies, that the river this season closed above the Lewisburg bridge on the night of the 12th January, and in the space of a few days dammed the water back to Milton 2½ feet, and stopped the Birchwood Mill. The river first closed at the Shamokin pool, and commenced damming on Rees's ripples, about one and a quarter miles below Lewisburg.—*Miltonian.*

The Philadelphia, Germantown, and Norristown Rail Road Company, are bringing to their depot, corner of Ninth and Green-sts. building stone of a superior quality, which they intend offering for sale. The facility of transportation on a rail road, will enable the company to sell it at a price less than it has heretofore been sold at. The locomotive engine, built by Mr. Baldwin, of our city, is at present employed in bringing the stone down, to which are attached a train of six burden cars; the novelty has attracted crowds of spectators, who are delighted at the rapid speed the engine propels her load.—*Poulson.*

The opera boxes were set up for sale by auction, at noon on the 13th ult. by Mr. Freeman, on the stage of the Chesnut-street theatre. Number one, including fifteen seats, each ticket at the price of one dollar, was sold for twenty-four nights, at three hundred and sixty dollars. No. 2, on the same terms, brought four hundred; and so did the opposite box, No. 23; the purchaser of each being entitled to thirteen tickets a night. The third boxes from the stage, No. 3 and 22, each having thirteen seats, were knocked down, the first at three hundred and forty, the other at three hundred and seventy-five dollars. No. 24, stage box, and No. 5, the best box in the house for a party of not more than twelve, were not sold. The boxes noted are all in the lower tier.—*Chronicle.*

The Doylestown Democrat of Tuesday says:—"We learn that the valuable mills, houses, &c. in New Hope, advertised by the Sheriff, were sold on Friday last, for the sum of twenty thousand six hundred and ninety-five dollars, being probably not more than the third of the cost of building, &c. The large and splendid brick tavern occupied by Mr. Meldrum, brought only \$4,600. The lot marked in the advertisement No. 10, being 14 acres of ground, with two large factories, a cotton and woolen, and five dwelling houses only \$9,200. Two elegant two story brick dwellings \$1,595. Sixteen acres of land \$3,550. And a strip of land along the canal \$1,750. We have never known a greater sacrifice of property.

(Pottsville, Penn.) Feb. 9.

SAVAGE VISITERS.—We understand that two large *Panthers* were seen during the present week between this place and Port Carbon. We are informed that these natives of the forest have been audacious enough to approach within a mile of our borough, mauge the quantity of powder and lead therein abounding.

Yesterday morning commenced the most considerable snow storm that we have had this winter. When our paper went to press, the snow was still falling, and there is every prospect of its being deep. Sleighs, for the first time this season, are moving in every direction.

HAZARD'S REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

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From the American Journal of Science and Arts. ON THE ECONOMY OF HEAT.

BY WALTER R. JOHNSON,

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The art of heating apartments in the most economical and salutary manner, is of truly vital importance to the interests of society. Connected with this, the art of ventilation stands pre-eminent, and with both, the art of constructing dwellings and other buildings, is intimately related. In all our larger towns and particularly in our maritime cities, the annual expenditure for fuel is enormous. New York and Philadelphia are believed to pay each, not less than twelve hundred thousand or fifteen hundred thousand dollars per annum, for combustibles, to be employed either in domestic uses, or in manufactures. In respect to both of these objects, but particularly the former, the most astonishing disregard of economy is often perceptible, as well in the arrangements for burning, as in the manner and extent in which the heat is applied.

So long as the original forests of our country were standing, little importance was attached to this branch of economy. The burning of a huge mass of cordwood in a broad open-mouthed chimney, supplied, to a certain extent, the desired temperature, and involved, as a consequence, the production of such currents of air as effectually prevented stagnation in the atmosphere of apartments. Hence the occupants were seldom exposed to the peculiar maladies which arise from a stifled air.

Indeed, the rude and almost primitive method of heating apartments then in use, rendered their inmates subject to a contrast of sensations, quite as striking as that paradox which the philosopher exhibits, when, by the ebullition of one liquid, he causes the simultaneous congelation of another. The chilling blast which assailed one part of the person, vied strangely with the scorching radiance which beset the opposite.

The present expensiveness of fuel, renders it desirable to arrange our houses in some manner different from the ancient method; so as at once to limit the consumption of fuel, and to secure an ample supply of wholesome air. The latter requisite is too often sacrificed to the mere elevation of temperature. Not only is the composition of the air allowed to be deteriorated by frequent respiration, but its hygienic state is sometimes such as to operate most injuriously on the system. Nature is, in general, careful to supply our lungs, with air capable of receiving from them some portion of moisture; if this portion be either too great or too small, the lungs, and eventually the whole body, will suffer either from the excess or the deficiency. To regulate this quantity is one part of our own duty.

The gradual introduction of mineral fuel, especially of anthracite, will probably introduce some changes in domestic arrangements, which will supersede the use of those more bulky, troublesome, and unsafe materials, heretofore employed in combustion. The consequences of such changes, if judiciously made, will doubtless be the diminution of expense, the saving of labor, the gaining of comfort, and the economizing of space and time.

Those awkward projections, which now encumber and *deform* our apartments, under the name of chimneys, filling, in many cases, from one-twentieth to one-sixteenth of the whole area of the room, and that too on every floor from the cellar to the garret, will be wholly excluded. This expenditure for land on which to build chimneys, is no mean item in the first expense, and is anterior to the building, as well as to the maintaining of a chimney. Even admitting that one-thirtieth only of the ground were thus carelessly encumbered by the stacks of chimney, the aggregate loss on the original investment would still amount to no mean sum for the population of a large city. The *cost* or *rent* of ground, on which to build chimneys, is, therefore, the first object to be economized. The next item in the expenditure is the *construction* of chimneys and fire places, including the materials and the various furniture, either for use or for decoration,—the bricks, the marble, the brass, and the iron; the fenders, the hearths, and hearth-rugs, the mantles and their ornaments, elegant or tawdry, and the glasses; that have been invented in all possible variety for no other conceivable purpose but to hide the *deformity* in question.

But we have not yet done with the taxation to which the inhabitants of large cities submit for the purpose of warming the *air above their chimney tops*. There comes an incessant call for kindling materials, for wood, for bark, "chips," charcoal, or the rather less evanescent, but far more *fumitory* cannel coal. There is the labor of one or more domestics almost constantly kept in requisition to build or to renew fires, to watch for falling brands and wipe from tarnished furniture the clouds of ashes, dust, and smoke. There is not *seldom* found the noise of shovels and tongs, the distressful, asthmatic, respiration of the bellows; the far spreading odor of a scorched hearth-rug; the soon frayed and tattered carpet, cut through by fragments of combustible, crushed beneath the feet, and worn threadbare by the incessant application of the broom.

But if the present mode of heating apartments is a grievous tax upon the purse, how much more upon the person? How many of the long catalogue of diseases incident to our citizens, may be traced to the unequal and ever variable temperatures to which the mode of heating the houses now exposes them? Even admitting that a uniform temperature has been obtained in the room chiefly occupied by the family, yet we seldom find the same heat prevalent throughout the house. The entries, stair-cases, and other passages are in the cold weather exposed to frequent currents of an icy chillness, even while the parlor suffers the torrid influences of a roaring fire. The current up the chimney created by the latter only serves indeed to increase the severity of the cold in the halls and passages by requiring a constant supply of fresh air from without. To pass from the parlor into the open air, seldom occasions much sensible inconvenience, because the person is suitably prepared by supernumerary garments, hats, bonnets and hoods, coats, cloaks and belts, gloves, mitts and overshoes—to encounter the frosty rigor of the winter. But when we merely pass from the parlor to the "hall," or through the stair-case to a chamber, we scarcely think of a similar precaution, and consequently encounter a fearful hazard by exposing our

selves to the opposite extremes of summer and winter temperatures without the slightest change of apparel. Nor are these exposures always of short duration. They not unfrequently extend to a length of time, during which no prudent person would venture to remain in the *open air*, at the same temperature, as the entry in which we stand, perhaps conversing—or giving directions—or reciprocating compliments, or paying *cold* civilities. We retire at night to our lodging rooms, which have been all day in a freezing state, and load ourselves with numerous and heavy coverings to keep off the cold,—or we sink into masses of feathers and down for the same purpose, thus stifling and enervating ourselves in the most effectual manner, instead of enjoying the elastic and refreshing curled hair mattress which proved so agreeable and healthful in summer. Or, we cause a fire to be lighted in the evening and heat up our lodging rooms for the former part of the night, only to become more sensibly dreary and comfortless in the morning. We descend to the breakfast parlor, and find that want of care, or want of skill, in a domestic, has allowed the fire to remain inactive till a late hour, or in removing the *dust and ashes* under which the family had been huddled on the preceding day, he had found it convenient to throw up the sash and admit a copious supply of cold air, which now begins to riot about the room, and at length takes full possession, driving from the house even that remaining vestige of comfort which the *walls*, warmed by yesterday's appliances, had hitherto afforded. The true purpose of heating apartments is not merely to allow the occupants to derive heat from a *direct exposure* to fire, much less from a *contact* with the source of heat. It is to supply in winter that equable temperature to our persons which nature has provided in summer. The means, too, of communicating it, ought to be similar, and that is, chiefly, through the warming influence of the air in which we move, and by the respiration of which the due temperature of the vital organs is maintained. Although these truths are almost too obvious to require to be seriously urged in argument, yet such is the force of habit, as to render most persons insensible to the justness of this distinction; and to induce a supposition that *actual exposure to fire* is the only means of maintaining a comfortable condition of body, and a cheerful state of mind. But, do we ever sigh for the spectacle of a glowing fire in the days of July, or the evenings of August? Do we, at *that* season, contend that the parlor is void of social attraction, because it has no *brilliant grate*, or the breakfast room cheerless, because no "*blazing hearth*" is seen to greet our entrance? And *why* do we not shiver at the sight of a drawing room without its fire in *summer*, as well as in *winter*? Obviously, because the idea of discomfort is then in no way connected with the absence of firelight. And the same would be true of our apartments in winter, were we equally accustomed to be free from pain, and equally sure of beholding cheerful countenances around us, while removed from a sight of the *process of combustion*. So strong a prepossession has taken hold of many minds on this subject, that mere reasoning would probably not convince one in ten, that he would be able to endure a winter's evening without a sight of the fire. But I have seldom seen an individual, who, when present in a room, otherwise heated, did not actually soon forget his *artificial want*, and become not merely reconciled to the deprivation of a glowing fire, but actually delighted with the summer-like influence which prevailed around him.

But aside from the mere consideration of temperature and from its variableness, when governed by the action of *fire within the apartment to be heated*, there is, in the very pleasure which we fancy to be found only in the sight of a fire, not unfrequently, an intermixture of pain and of peril, sufficient, one should suppose, to counterbalance all the good proposed by that peculiar arrangement of things. The eye is often pained and

sometimes actually injured by the continued glare to which it is exposed. Resort is then had to screens or other defences to shield us from the blasting "*excess of light*" on which it has been our *pleasure* to fix our gaze.

Again, the radiation of heat, at first grateful, is by degrees increased until not only the face but the whole person is found in a glow far beyond what the system can safely endure. But the retreat which at length becomes necessary is not always made until profuse perspiration has been induced, and then we remove to a distance at which the radiation is almost unfelt, and where its effect on the air of the room has been wholly neutralized, by the currents from doors, windows, and other apertures. Thus is the body kept in a manner oscillating between extremes of temperature, until a confirmed "*cold*" or catarrh has taken possession of the system.

That pulmonary complaints should ensue, is but the natural consequence of this artificial variableness of climate, to which we are frequently exposed, and such a consummation has, it is believed, often been brought about by the very prudent caution of *keeping near a good fire* for a single evening.*

It were needless to enumerate the dangers to which the inmates of a house, and even the house itself, are exposed where young children have free access to an open fire. The many appalling accidents which are annually recorded as resulting from this cause, are sufficient to make us desire some more secure method of keeping up an agreeable warmth among the tender objects of parental solicitude.

That the nursery may be secure from danger, recourse is had to close stoves; but in attendance upon these, many of the same evils are experienced which belong to the open fire. In apartments for the sick, and particularly when wood is the fuel, they are objectionable on account of the constant watchfulness required for preserving a uniform temperature. Hence it is not in the construction only of houses and chimneys, or in the arrangements of receptacles for the burning fuel, that a want of economy is visible. The very manner in which the combustion is carried on, and the disposal made of its products, are widely at variance with philosophical principles. Every mode of producing combustion, in which more cold gaseous matter is allowed to approach the ignited mass, than is actually required for the support of combustion, involves a loss of useful effects dependent on the quantity and *capacity* of the gas, and on the elevation of temperature which it acquires by passing over the fire. But the quantity of unburnt air which passes up an open chimney where wood is consumed, bears a very large proportion to the gaseous products of the combustion. In stoves, the economy is but little better, especially where the gas-pipe passes almost immediately from the presence of the fuel into the chimney. The occupants of some ancient dwellings are perhaps contented, that they can by closing the fire-place with a board, and conveying through this the pipe of a small stove, escape the dreariness incident to their former mode of consuming the fuel. They do not appear to imagine, that as the gas is red hot at the moment of entering the chimney, it would, if conducted a considerable distance within the apartments, be capable of imparting to the air of the room, several hundred degrees of its heat. The admixture of unburnt air is the evil of open grates and fire-places; the escape of hot gas without discharging its proper office, is that of close stoves as now generally arranged.

The culinary operations of almost every family in-

* In a house heated in the manner hereafter described, there has for three winters been scarcely a cold, or any kindred disease experienced by the inmates. In the winter of 1831—32, when influenza was nearly universal, the family was wholly exempt from that troublesome and dangerous complaint.

volve an immense waste of heat, and of heat too which might be turned to valuable account, were but a small portion of the ingenuity bestowed on less important subjects turned towards that much neglected branch of domestic operations. Philosophy is slow in descending to the kitchen. Nineteen centuries of time, and twelve hundred leagues of space, have not impaired the truth of the remark,

"Coquus præter jus fervens, nihil novi potest imitari."

Indeed, a new process or a new fashioned utensil is often regarded by that important dignitary, as a signal for open hostility, or for a sullen retirement from the "place" which it has invaded. Hence from ten to twenty cords of wood are annually consumed in many a family for the sole purpose of cooking, while every other part of the establishment is supplied with anthracite. In economizing culinary heat, it seems probable that at least one-half of all the fuel usually consumed in families may be saved.

The method proposed to be substituted for that which has been described, is one which has, under some modifications, been employed, to a limited extent, for heating public edifices, and on a still more limited scale, for the warming of private buildings. It consists in placing in the basement story, or in the cellar, (as the case may be,) a single furnace capable of effecting the combustion of as much fuel as will be required to heat all parts of the house. Where anthracite is employed, this arrangement is perhaps more desirable than where any other fuel is used, because the labor of attendance is then reduced to an amount utterly insignificant, compared with the expense of fuel, and is extremely small with what it would be with some other kinds of combustibles.

The furnace may be either of cast or rolled iron, the latter being preferable on account of its lightness and pliability; the former, for its resistance to corrosion and for the cheapness of the material. A stove or furnace, formed of either of these materials, may be placed in the basement, and surrounded, except in front, with any substance suitable for forming a chamber to receive air at the bottom, which, after ascending around, and over the surface of the iron, may pass up through openings in the floor. The front part of the furnace may be made to join the enclosure allowing access to the fire, but not admitting a communication with the hot air chamber.

The air to supply the combustion may be taken from the apartment immediately around the furnace, or, what is perhaps preferable, may be conducted to the grate through a trunk descending from the floor of one of the upper heated apartments. In the latter case, it serves to carry down the colder parts of the air of the room in proportion as the warm air rises from the furnace to take its place.

By the arrangement above described, the fire is left open, and at liberty to be used for culinary purposes, while the posterior part of the stove or furnace is employed to heat the air for supplying parlors, chambers, and passages.

The air to be used for this latter purpose should be derived from a source not subject to any species of contamination. It would generally be advisable to receive it through a conducting tube from the open air, and to keep it separate from that which supplies the combustion.

Pipes of conduit may be used, when several stories, not connected by an ample stair-case, are to be kept at uniform temperatures, but the opening or closing of doors will be often sufficient to regulate the heat. It has been found by experience, that when once admitted into the lower apartment, the warm air will soon make its way into every open apartment in the house.*

* Here is inserted a drawing and detailed description of the apparatus, for which see Silliman's Journal, Vol. XXIII.

By the adoption of this plan, every flue in the house except one, is rendered useless; and much worse than useless, because, besides occupying a great space, they carry off the hot air which is sent up from the furnace. And yet they do not perform all the purposes of ventilation, since their apertures are below the proper level for that object. Seven out of eight have consequently been closed at the top, by boards laid in mortar.

Ventilation, when required, is readily effected by letting down a sash from the top.

From November to April, (the time this apparatus is in use,) the average consumption of anthracite is one ton per month, and no other fuel whatever is required except a little charcoal, and a trifling quantity of light wood for re-kindling the fire, should it accidentally become extinct.

Canvass has been adopted to form the air chamber, because it is lighter, cheaper, more manageable than either iron or brick, and occupies no space of importance, when removed for the summer. Where such removal is not desirable, or where the slightest danger is apprehended, it were probably better to form it of some ordinary building material. The whole of the apparatus would not perhaps be improperly termed a *tem furnace*.

As already stated, the gas pipe in the actual arrangement above described, passes into a kitchen chimney; consequently considerable loss is sustained notwithstanding the quantity of pipe enclosed in the air chamber.

In order to assure myself of the practicability of heating an apartment on the third floor, by means of the gas thus escaping from the kitchen, as well as to determine the relation of the temperature of the escaping gas, to that of the open air, and to the highest temperature required in the rooms below, experiments were made at the top of the chimney, and at several stages below. Care was taken to allow the thermometer, (which for this purpose was suspended to a measuring line,) time to attain the temperature of the gas at each stage, and then to withdraw it quickly, when about to be examined.

Exp. 1. In this experiment the air was at 40 deg.; the parlor, 72 deg.; the gas at the very top of the chimney, 134 deg.; and at four feet below, 139 deg.

Exp. 2. The air was now 26 deg.; parlor, 70 deg.; the air at top, 118 deg., three feet below, 123 deg.; six feet below, 131 deg.; nine feet below, 137 deg.; ten and a half feet below, 139, showing an average diminution of 2 deg. per foot, in the height of the chimney as the gas approached the top.

Exp. 3. This was a cold day and a brisk fire was maintained. The air was at 18 deg.; the parlor, 75 deg.; gas at the top, 180 deg., and twenty-one feet below, 220 deg., showing a diminution of 19.10 deg. for each foot of the height, and demonstrating that the gas had, at its escape, nearly thrice as much excess above the surrounding air, as any room in the house. The temperature at which the gas escapes must obviously depend upon the state of the fire, as well as upon the quantity of unburnt air, which obtains admission above it. When the fire door of the stove is open, the air enters rapidly and mixing with the gas, partakes of its heat, but probably derives from the fire above which it passes, a small part only of its ultimate temperature. The same is true of the air which enters at the throat of a chimney, beneath which a grate is in action. The air which approaches to mix with the gas, continues cold until the moment of passing the throat, and in this current of cold air, the hand may be held with impunity, while just within the throat the temperature is that due to the mixture of hot gas and cold air. If this throat be much larger than is necessary to receive the gas, a greater proportion of the air of the room will there find an outlet, and the useful effect of the fuel will be neutralized by sending up the chimney that air which it was the chief purpose of the fire to warm, in order that it might be retained in the apartment and applied to its occupants.

Exp. 4. This experiment was made upon a chimney, the gas from which was derived from an open grate in the basement, and of course contained much common air, mixed with the products of combustion. The open air was at 50 deg., the escaping mixture at 120.

Exp. 5. A similar examination of another chimney fed by a large kitchen range in full action, gave 125 deg. for the temperature of the gas, that of the open air being 45 deg. The foregoing experiments served to indicate, that the gas of a close stove, if not of an open grate, might be usefully employed to warm an additional apartment, since it constantly escaped at a much higher temperature than it could be desirable to maintain in any part of a dwelling.

To effect the proposed saving, it was only necessary to arrest the gas by a partition at the proper point, perforate the side of the chimney, and insert a pipe connected with a proper air chamber, or *drum*, of sheet iron, through which the gas might be made to pass and again be returned to the flue above the intercepting partition. The plan actually adopted, as the most simple, was to cover the top of the flue from which the gas originally escaped, with a board laid in mortar over the top of the chimney, and when the hot air had traversed the drum, to turn it into another flue which remained open at the top, but closed at bottom, except a single aperture for the admission of a pipe from the drum.

Having made this arrangement, I found the temperature of the apartment which had, in former years, required a separate grate or stove, to keep it in a comfortable condition, entirely freed from that necessity, and during the whole season, which will long be remembered as one of uncommon severity, not a single hour is known to have found it untenable from cold. At night, the fire in the kitchen was prepared for a slow operation, by adding a fresh supply of coal covered closely by a layer of the finer kind called "*chestnut coal*," or, what is still better, the coarser parts of the sifted cinders from which the earthy and vitrified portions were always carefully rejected. In this state of the fire, the temperature of the entering gas was considerably reduced, but in no instance was it found lower than 100 deg. It is probable that the mass of brick work, constituting the chimney having become hot during the day, contributed to keep up the temperature in the drum during the night,—a contribution which would have been utterly wasted on the "upper air" according to the usual method of arranging both wood fires and open grates.

In the following table are given the results of numerous observations made, some at regular intervals during the winter, others at regular periods of five or ten minutes apart, continued for several hours in immediate succession. They are arranged according to the temperature of the entering gas which, it will be observed, was never higher at the time of any observation, than 231 deg. The changes were in general, so gradual as to allow a perfect facility in noting the rate of variation. The remarks* on this subject are probably sufficiently numerous to enable us to judge even in those cases in which the variation was not noted, what was the actual change taking place, or whether the temperature was stationary.

As these experiments were made for a purpose purely practical, it was no part of their aim to determine the abstract laws relating to the rate of cooling. Nor is that, probably, necessary in the present state of science. The very elaborate experiments of Dulong and Petit, (as well as of many other philosophers,) have left little

* It will be understood that the remarks in the eighth column, refer to the *particular* results contained in the sixth, and not to the more *general* averages which may chance to fall on the same lines in the seventh.

† See Ann. de Chim. et de Phys. Vol. vii, pp. 113, 225 and 337.

to be desired in regard to the rate of cooling in vacuo, and in a limited quantity of gas.

They have separated these two things, and given the influence of each circumstance a distinct consideration. But in what manner will those laws which have been deduced, be modified by the currents of gas traversing the trunks of chimnies or the pipes of stoves? Will the greater or less velocities of the currents materially influence the proportion of heat which will be abstracted by a given extent of surface, when the velocity itself depends on an excess of temperature in the moving fluid?

Even allowing for these circumstances, will the quantity of heat abstracted bear any constant ratio to the *excess above the temperature of the room*, with which the gas first enters from the chimney? The table is intended to furnish some data for answering these inquiries.

Temperature of the gas when entering the chamber.	Corresponding temperature of the room.	Excess of the temperature of the entering gas above that of the room.	Temperature of the gas when it re-entered the chimney.	Loss of heat by the gas while in the chamber.	Part of the excess abstracted by the combined action of radiation and conduction.	Averages of five consecutive experiments, taken at the different temps ^s of the entering gas.	Remarks on the different temperature of the entering gas, at the moment of the corresponding observations.
100° F.	65°	35	84	16	.457		
102	66	36	85	17	.472		
102	64½	37½	85	17	.453		
105	60	45	85	20	.444		
107	60	47	88	19	.404	.446	
109	60	49	90	19	.387		
110	66	44	92	18	.409		
110	59½	50½	88	22	.435		
115	57½	57½	92	23	.402		
117	56	61	91	26	.426	.412	rising rapidly.
119	58	61	95	24	.393		rising after closing stove doors in the morning.
120	58	62	94	26	.420		falling 1° in 10'.
120	58	62	96	24	.387		rising 4½° in 10'.
							falling 1° in 10'.
121	60	61	92	29	.495		{ fire very low—covered up for the night.
124	58½	65½	98	26	.396	.428	rising 4° in 5'.
125	68	57	101	24	.470		
128	61	67	100	28	.418		rising rapidly.
134	61	73	102	32	.438		rising 8° in 5'.
134	58½	75½	102	32	.424		rising rapidly.
135	59	76	102	33	.434	.437	{ rising rapidly—temperature 8° in the open air.
140	59	81	106	34	.420		rising 6° in 5'.
142	63	79	111	31	.392		nearly stationary.
142	58	84	110	32	.581		
144	62	82	113	30	.362		falling 4° in 5'.
146	59½	86½	110	36	.405	.392	rising 5½° in 5'.
146	56½	89½	110	36	.402		rising gradually.
147	60	87	113	34	.390		stationary.
148	62½	85½	116	32	.374		falling 4½° in 5'.
151	59½	91½	114	37	.403		rising 6° in 5'.
152	72	80	123	29	.362	.386	
152	65	87	120	32	.367		

(Continued.)

Temperature of the gas when entering the chamber.	Corresponding temperature of the room.	Excess of the temperature of the entering gas above that of the room.	Temperature of the gas when it re-entered the chimney.	Loss of heat by the gas while in the chamber.	Part of the excess abstracted by the combined action of radiation and conduction.	Averages of five consecutive experiments, taken at the diff't temp's of the entering gas.	Remarks on the variations in the temperature of the entering gas, at the moment of the corresponding observations.
152°f.	64°	88	120	32	.364		{ falling—fire recently renewed.
152½	62½	90	119½	33	.366		falling 7½° in 5'.
153	68	85	122	31	.364		falling.
154	56½	97½	115	39	.400	.372	rising.
156	63½	92½	120	36	.388		falling.
158	59½	98½	117	41	.416		rising 7° in 5'.
160	62½	97½	124	36	.368		falling 8° in 5'.
160	60	100	126	34	.340		
160	56½	103½	120½	39½	.382	.379	rising.
162	71	91	130	32	.352		
163	62	101	126	37	.366		falling 13° in 5'.
164	62	102	125	39	.382		falling 1° in 5'.
165	59½	105½	122	43	.408		rising 6½° in 5'.
168	70	98	132	36	.367	.375	rising rapidly.
168	64	104	122	46	.442		falling 4° in 5'.
168	62½	105½	128	40	.378		rising 5½° in 5'.
171	59½	111½	126	45	.404		{ fall'g very rapidly—fire just ren'd with cold fuel.
172	64	108	136	36	.333		falling 10° in 5'.
172	62½	109½	131½	40½	.369	.385	rising.
172	60	112	128	44	.393		falling.
173	63	110	129	44	.400		
173	61	112	131	42	.375		
173	58	115	133	40	.346		
174	66	108	130	44	.407		
174	66	108	129	45	.416	.389	rising slowly.
174	61	113	129	45	.398		rising rapidly.
176	64	112	130	46	.410		rising 9° in 5'.
176	62	114	130	46	.403		falling 18° in 5'.
176	62	114	136	40	.351		rising 5½° in 5'.
176	59½	116½	129	47	.404	.393	
182	65	117	138	44	.376		falling 2° in 5'.
182	62½	119½	136	46	.384		rising 4° in 5'.
182	62½	119½	135	47	.392		rising.
182	62½	119½	134	48	.401		rising 5° in 5'.
182	60	122	133	49	.401	.391	
183	65	118	140	43	.364		rising moderately.
184	65	119	136	48	.403		stationary.
184	62½	121½	136½	47½	.390		falling.
185	63½	121½	139½	45½	.375		{ falling—stove just replenished—cold day.
186	63½	122½	141	45	.367	.380	rising 4° in 5'.
186	63	123	144	42	.341		
186	60½	125½	136	50	.396		
188	70	118	148	40	.340		
188	65	123	136	52	.422		
189	57	132	138	51	.385	.377	rising—very cold day
190	67	123	140	50	.406		rising.
190	66	124	140	50	.403		
190	64	126	146	44	.349		
190	62½	127½	139	51	.400		rising.
190	62	128	140½	49½	.386	.389	
190	60½	129½	138	52	.400		rising 3° in 5'.
192	64	128	141	51	.398		rising very little

* and one-sixteenth.

† and fifteen-sixteenths.

The result of all the above observations is, that with a temperature in the room, varying from 56° to 72°, and in the entering gas, from 100° to 231°, the number of degrees of heat abstracted by about thirty-eight square feet of surface, varied, (according to the temperature,) from 16° to 63°, showing, when compared with the excess of the gas above that of the room, a portion abstracted equal to 393-1000 of that excess, or about one per cent for each foot of metallic surface.

It appears from the Catalogue of the Students of the University of Pennsylvania that the number attending during the session of 1832—33 was as follows.

In the department of the arts, there are	
Senior Sophisters,	26
Junior Sophisters,	28
Sophomores,	27
Freshmen,	24

105

MEDICAL CLASS.

SUMMARY.

Alabama	-	-	-	-	7
Canada and British Provinces	-	-	-	-	2
District of Columbia	-	-	-	-	7
Delaware	-	-	-	-	5
Georgia	-	-	-	-	14
Kentucky	-	-	-	-	4
Louisiana	-	-	-	-	5
Maryland	-	-	-	-	9
Mississippi	-	-	-	-	4
New England	-	-	-	-	10
New York	-	-	-	-	10
New Jersey	-	-	-	-	19
North Carolina	-	-	-	-	30
Pennsylvania	-	-	-	-	120
South Carolina	-	-	-	-	15
Tennessee	-	-	-	-	2
Virginia	-	-	-	-	103
West Indies	-	-	-	-	2

Aggregate 368

First Course	-	-	-	-	193
Second Do.	-	-	-	-	108
Third Do.	-	-	-	-	50
Fourth Do.	-	-	-	-	17

Total 368

AGGREGATES.

Collegiate Department	-	-	-	-	105
Medical Department	-	-	-	-	368
Academical Department	-	-	-	-	186
Charity (English) Schools	-	-	-	-	164

Total 823

COAL TRADE.

From the commencement of the coal business at Bristol, to the close of Canal Navigation in December, 1832; there was loaded with merchantable coal, 98 brigs, schooners, and sloops, which carried to the different places, the total amount of 10,588 tons of coal, viz:

	Vessels.	Tons.
To Boston,	11	1616
New Haven, Connecticut,	16	1614
Albany,	16	1698
New York,	5	585
Hartford, Connecticut,	6	700
Salem, Massachusetts,	5	702
Portsmouth, Virginia,	2	138

	Vessels.	Tons.
Troy, N. Y.	4	507
West Point,	3	526
Baltimore,	4	193
Wilmington, Delaware,	3	160
Providence, R. I.	2	174
Newport, R. I.	3	245
Wareham, Mass.	3	291
Fall River,	2	166
Alexandria,	1	65
New Bedford,	2	144
Somerset,	2	360
Portsmouth, N. H.	1	110
Taunton,	2	294
Schenectady,	1	80
Plymouth,	1	110
Chester,	2	50
Poughkeepsie,	1	25
	98	10,588

CENTRAL RAIL-ROAD.

Report of the Chief Engineer of the Danville and Pottsville Rail-road Company, with a report of the President and Managers to the Stockholders—January, 1833.

Report of the Board.

"The President and Managers of the Danville and Pottsville Rail-road Company," in communicating to the Stockholders a report from their Chief Engineer, respectfully submit the following remarks.

The report exhibits the gratifying fact, that from the point of connexion with the Mount Carbon rail-road, about two miles and a half northward of Pottsville, to Girardville, (a settlement commenced by the late Mr. Girard, on the waters of the Mahonoy near its confluence with the Shenandoah creek, about eleven miles from Pottsville,) difficulties which by some of our fellow citizens were deemed insurmountable, have, by the judicious application of labour directed by perseverance, energy, and science, been completely overcome: and further, that with the exception of the arching of the tunnel, and two short pieces of embankment, the whole grading and masonry of the road to Girardville, will be finished early in the approaching spring.

The company being already in possession of the iron rails, and the machinery for the inclined planes having been contracted for, and much of it expected to be soon received, the Board are confirmed by Mr. Robinson's report, in the expectation they had previously formed, that while some progress will be made beyond Girardville, the road can be completed and opened for operations between Pottsville and Girardville, by the close of the year 1833.

It is not the least gratifying part of the information now submitted, that notwithstanding that the mountainous character of the country presented obstacles, which for a time had the effect to discourage a few individuals as to the feasibility of the project altogether; yet, that the moderate estimate furnished in 1831, has not been even reached in what has been accomplished, and that the work will be finished to Girardville at much less than that estimate.

The results so far produced, embracing as they do, the greatest obstructions in the whole line from the Schuylkill to the Susquehanna—namely, the passage of the Broad Mountain, the tunnel, and six out of nine inclined planes,—demonstrate the practicability of the whole road at a cost not exceeding, and probably to a considerable extent within the original estimate, and furnish the best answer to all the distrust and uncertainty which prejudice or want of information may have suggested on the subject.

The president and several of the managers, having visited and examined the work at different times, during the last few months, were prepared from their own

B. A. Mitchell.

observation for the very satisfactory details contained in the report of the Engineer; and they deem it due to that gentleman to say, that his high professional character has been abundantly sustained by the sound judgment and eminent skill displayed in this undertaking.

The road formation has been extended several miles into the body of lands which, under Mr. Girard's will, have become the property of the city. It has been ascertained that some of the finest coal in Schuylkill county, exists in inexhaustible veins in the immediate neighbourhood of the road; and that lumber of a superior quality, of which some had been cut by Mr. Girard in his lifetime, is to be found there in large quantities. A very interesting and important question is thus presented to the citizens of Philadelphia. The corporation having succeeded Mr. Girard as the largest stockholder, has a direct inducement in this respect, to advance the interests of the company; and as owner of the valuable lands just mentioned, has an opportunity of bringing into active employment the incalculable quantities of excellent coal and lumber which belong to her, and of settling and improving a large region well suited for cultivation; while, as a great commercial city, Philadelphia is deeply concerned in opening this communication between the Susquehanna and the Schuylkill, with a view to the immense trade to pass down this route from the north and west branches of the Susquehanna and to the return trade, which can be conducted at the cheapest possible rate, in consequence of facilities furnished by the coal boats on their return.

The power which the company possesses under the charter to carry on the coal trade, may perhaps be advantageously exercised, and the attention of the board has been directed to this object. Should it, however, be found inexpedient for the company to embark in this business, other measures will, no doubt, be adopted, by those interested, by which the coal and other productions of this region can be made tributary to the comfort of the citizens and the profits of the company.

The stockholders having at their general meeting on the 12th of November, 1831, instructed the board "to put under contract, as soon as practicable, with a view to its speedy completion, so much of the eastern division of the rail-road commencing at the point of connexion with the Mount Carbon rail-road, and extending to the mouth of the Shenandoah creek, and thence towards the Susquehanna as far as the present funds of the company would, in the opinion of the president and managers, justify;"—the board, accordingly, made as much progress in obedience to such direction, as a judicious use of their resources would permit. The certainty that the whole road can be made as contemplated, being shown—and the sure benefits to result to the great country watered by the north and west branches of the Susquehanna, to the city of Philadelphia, and to the stockholders, being now brought more distinctly into view, the hope is indulged, that the company will be so sustained by public confidence and encouraged by public support, that the magnificent work under their charge will be carried through to the Susquehanna within a time so reasonable, and at an expenditure of money so moderate, that it will be an unceasing source of rejoicing that an object of such extensive practical usefulness was undertaken.

The doubts above referred to, relative to the execution of the work, extended themselves, the board are aware, to the minds of some of the stockholders, who received impressions, that even if the road should be made, it would be at an expense far beyond the estimates furnished. Objections were constantly made by some of them in relation to the payment of instalments. As the work advanced, and information respecting it became diffused, these impressions gradually faded away, confidence returned, and payments were more promptly made. As the facts now offered prove beyond all question, that this great central road from the Schuylkill to both branches of the Susquehanna, is not

only feasible, but that its advantages to the public, and its profits to the stockholders, will be secured by a moderate expenditure of money; the belief is confidently entertained, that hereafter, the pecuniary requisitions made necessary by the progress of the work, will be promptly and cheerfully complied with.

By order of the Board.

T. M. PETTIT, President.

S. H. CARPENTER, Secretary, pro tem.

Office of the Company, }
Philadelphia, January 28, 1833. }

Report of the Engineer.

To the President and Managers of the Danville and Pottsville Rail-road Company.

Gentlemen: I have the honour to present you the following report on the progress of that portion of the Danville and Pottsville rail-road placed by me under contract, agreeably to your resolutions of the 14th of November, 1831, and of the 18th February last.

The board are aware, that under the discretion allowed me by the last named resolution, I deemed it unadvisable to extend the contracts for grading and masonry much beyond Girardville. Between the Mont Carbon rail-road and that point, the roadway-formation has been pressed on with as strong a force as the state of the company's funds, and a judicious disposition of the labour employed seemed to warrant. The annexed paper, marked A, presents a minute estimate of the different kinds of work on each section placed under contract, of the amount of labour performed on it previous to the 20th ult., the date of the last monthly estimate, and of the amount received by each contractor on account.

It will appear from that estimate, that the whole cost of grading and bridging between the Mont Carbon rail-road and Girardville, will be \$110,582 43; and that the amount of work done previous to the 20th ult. was \$64,859 40. Between three and four hundred men have been since employed, and if the weather should continue favourable, will be engaged during the winter on this portion of the road. With the application of this force, it is presumed that by the first of April the whole grading and masonry of the road to Girardville, may be completed; with the exception of the arching of the tunnel, and two short pieces of heavy embankment on sections 5 and 10.

Contracts were made in November last for some portions of the machinery of the inclined planes, and for the materials of the superstructure of the rail-road for this distance. The latter will be commenced by the period of the completion of the grading and masonry; and if there should be no delay or disappointment in the delivery of materials, will be laid down in the course of the coming summer. The difficulty of procuring good workmen, and the want of forges and furnaces in the neighborhood, makes it more difficult to specify with precision the time by which the inclined planes may be expected to be in operation. It is hoped they may be completed, and the road opened to Girardville by the close of the present year.

The excavation from the two ends of the tunnel met on the 17th of last month, without the least variation. The contractors are now engaged in working out the sides and roof of full width and height, previous to the commencement of their lining and arch.

It appears from a comparison of the estimates now made in an advanced state of the roadway-formation, with my report to the Board in October, 1831, that the grading and masonry of the rail-road between the Mont Carbon rail-road and Girardville, will be effected at about seven per cent. less than it was at the time estimated at. There can be little doubt that the amount allowed in the report referred to, for the machinery of the inclined planes and for superstructure, will be at least sufficient, and that the whole cost of this portion

of the rail-road, embracing the passage of the Broad Mountain, the tunnel, and six out of nine inclined planes, will be *within* the estimate.

All which is respectfully submitted.

M. ROBINSON, C. E.

New Castle, January 14, 1833.

From the National Gazette.

LAW CASE.

The United States,

vs.

Twenty-eight cases of pins, and one case of needles—by the Monongahela.

} On motion to produce the invoice, &c.

Judge Hopkinson delivered the following opinion:

The question to be decided in this case is one of entire novelty, and considerable importance. It arises on the construction of the 15th section of the act of congress "to establish the judicial courts of the United States," passed in September, 1789. Neither the counsel at the bar, nor the inquiries I have made since the argument, have been able to discover any judicial decision or practice, which affords us any aid in determining the question.

The case is—An information has been filed against certain packages of pins and needles, imported into the United States from England, and it is charged that they have become forfeited to the United States by reason of a false valuation in the invoice, made with an intent to defraud the revenue of the United States. A claim has been put in by Cardwell, Potter & Co. as agents for Kirby, Beard & Kirby, the exporting house in England, and the cause is in order for trial. The invoice, alleged to contain the false valuation, has never been produced at the Custom House, and, of course, no entry of the goods has been, or can be made, while it is withheld. The District Attorney, nevertheless, proceeds for the forfeiture, under the 4th section of the act of 1830—by which it is enacted, that if any package "or invoice be made up with intent, by a false valuation, to evade or defraud the revenue, the same shall be forfeited." Upon the trial of the issue in this information, the production of the invoice, alleged to be false, will be required—and in order to obtain it, the district Attorney has taken a "rule on the claimants to shew cause why an order should not be made on them and their agents to produce, at the trial of the cause, the original invoice of the goods, &c. mentioned in the information, and on the non production thereof, that judgment be rendered in favor of the United States." This order is claimed of the court, under the 15th section of the act of 1789, above referred to. As a ground for this motion, the District Attorney filed, in the first instance, the following affidavit. "James N. Barker, Collector of the port of Philadelphia, being duly sworn according to law, deposes and says—That the original invoice of the 28 cases of pins and one case of needles, mentioned in this information, is, as this deponent believes, in the possession and power of Messrs. Cardwell, Potter & Co., the agents of the claimants; that Mr. Jolin Potter, one of the said firm of Cardwell, Potter & Co., declared to this deponent, in the month of December, 1831, that he had received the said invoice, and exhibited the same to his counsel, and that it was then in his possession and power; that the said Messrs. Cardwell, Potter & Co. have been requested to produce the same invoice at the Custom House of this port, but have refused so to do; and that the same does, as this deponent verily believes, contain evidence pertinent to the issue found in this case."

An objection was made to the sufficiency of the proof, inasmuch as the deponent is a party interested in the condemnation of the goods, being entitled to a certain portion of the forfeiture. I had no doubt, on looking at the authorities, that there was nothing in the objection; that the affidavit of the party is competent for this purpose, and that the affidavit may be taken *ex parte* without

a cross-examination. Such has been the practice of the State courts, as well as this court; and as the party on whom the call is made, may extricate himself from the difficulty, by making oath that he has not the papers required of him, he cannot complain.

The ground being thus laid by the United States, by reasonable proof of the possession of the papers by the claimants, and of their contents, to show that they are pertinent to the issue, the question comes up which has been argued at the bar, to wit:—Whether the case is comprehended within the terms and meaning of the 15th section of the act of 1789. As the decision of the question must turn on the language and intention of the whole section, every word must be carefully attended to. The section is as follows:—"That all the said courts of the United States, in the trial of actions at law, on motion and due notice thereof being given, to require the parties to produce books or writings in their possession or power, which contain evidence pertinent to the issue, in cases and under circumstances where they might be compelled to produce the same by the ordinary rules of proceeding in chancery; and if a plaintiff shall fail to comply with such order to produce books or writings, it shall be lawful for the courts respectively, on motion, to give the like judgment for the defendant, as in cases of non-suit; and if a defendant shall fail to comply with such order to produce books and writings, it shall be lawful for the courts, respectively, on motion, as aforesaid, to give judgment against him or her by default."

Several of the phrases of this act have been commented upon, with great minuteness, to show that its provisions cannot be applied to a prosecution for a penalty or forfeiture; and a strict construction is demanded because the enactments are highly penal. I do not find it to be necessary to notice all the criticisms made on the language of the law. There are some broad lines of description sufficiently definite, in my opinion, to direct us to the decision of the case. The Courts of the United States have a power given to them to require parties to produce books and writings in their possession or power, which contain evidence pertinent to the issue, "in cases and under circumstances where they might be compelled to produce the same by the ordinary rules of proceeding in Chancery." Is this such a case? Would a Court of Chancery, on a bill of discovery, compel a party to produce evidence which would subject him to a forfeiture? I think not. No such order has been shewn by a Court of Equity; and the authorities that have been referred to hold a different doctrine. In Fonbl. 484-5, speaking of the objects of a Court of Equity, in enforcing discovery, it is said—"It may also happen that the situation of the defendant may render it improper for the Court to enforce a discovery; as when the discovery might subject the defendant to pains and penalties, or to a forfeiture, or to something in the nature of a forfeiture." A reference is made to Mitford's Treatise for a clear and comprehensive view of the subject.

In the case of *Harrison v. Southgate*, Atk. 528, the bill sought for a discovery of the defendant, whether S— was not a person professing the papist religion, before he conveyed the free hold and copy-hold estates to the defendant as a purchase thereof. In page 538, the Lord Chancellor says—it is not pretended that the defendant is a papist himself, therefore, no penalty could fall on him on that account; but yet he insists, if he should discover that the person under whom he bought was a papist, it would defeat his title. To be sure, in general, by the determination in the case of *Smith vs. Read*, it is settled when there is a plea of a title derived voluntarily, or by a devise from a papist, and not suggested to be a colourable trust, that by reason of the penal law which would attach upon him from the incapacity of the deviser to devise, the defendant shall not be compelled to discover, whether the person under whom he claims is a papist." The Chancellor goes on to say—"The rule of law is, that a man shall not be

obliged to discover what *may* subject him to a penalty not what *must* only." Although it should not appear with certainty whether the discovery would create a forfeiture, yet if it eventually may do so, it is sufficient to protect the party from a discovery. Thus it would seem that the penal consequences that may fall upon the claimant by the production of the invoice called for by the United States, makes it a case not within the provisions of the Act of Congress.

There is another part of the act, which describes the kind of suit or action to which the law was intended to be applied, and brings us to the question, whether a proceeding *in rem*, is within its provisions. I mean a proceeding merely and exclusively *in rem*. 'brought out, and not where parties come in after its commencement, after which the suit is no longer altogether *in rem*. The act directs that "if a defendant shall fail to comply with such order to produce books or writings, it shall be lawful for the courts, respectively, on motion as aforesaid, to give judgment against him or her by default."

This part of the law clearly looks to a *person* as defendant, against whom a judgment by default may be given, and may be enforced by execution. Can any such judgment in form or effect be rendered in a case like that before us. The United States claim that the goods mentioned in the information have been forfeited for the causes therein set forth, and have thereby become the property of the United States. Certain persons come in and deny the forfeiture, and claim the goods as their property, but they are not substituted as defendants in the cause; it stands, in this respect, as it did before the claim was put in. The goods are brought under the authority and control of the court, and two parties appear to claim them, and the judgment of the Court is to decide to which of the claimants they rightfully belong. The action, or proceeding of both, is upon and against the goods in the custody of the court, and there is, legally speaking, no party defendant in the case. If the issue be decided in favour of the United States by the verdict of a jury, or by judgment by default of any appearance or adverse claim, what is that judgment? simply that the goods are forfeited for the causes set out—and they are accordingly condemned—and the consequence is that they are ordered to be sold—and the proceeds to be distributed according to law. All these proceedings are exclusively against the property, the *thing*, and not against any person or party defendant whatever. If I were to grant the order moved for, and the claimants on trial should refuse to obey it, how could I follow the directions of the Act? how inflict the penalty appointed for the default? Where is the defendant against whom I could render the judgment required? Could I forfeit and condemn the goods on this account? The act gives me no such authority. Such a judgment might act upon the rights and property of innocent persons, not before the Court; as the claimants may, in truth, have no property in the goods; they may belong to other persons.

If then the claimants may be considered as a party defendant in this cause, they are protected from the order prayed for, by the Chancery principles referred to, and if they cannot be considered as defendants, they are not within the provisions of the act of Congress.

The motion of the District attorney is denied, but he may give his notice to produce the papers he wants, and if they are not produced or accounted for, he will have the advantage of the refusal or neglect before the jury, independent of the provisions and remedies of the act of Congress.

COAL MINING ASSOCIATION OF SCHUYLKILL COUNTY.

First Annual Report made by the Board of Trade to the Coal Mining Association of Schuylkill County, January, 1833.

The "Coal Mining Association of Schuylkill County,"

VOL. XI.

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was formed in January, 1832, and is composed exclusively of Master Colliers and those connected with Mining—the object of the Association is, to collect and disseminate information to the members, on all subjects connected with Mining, as the following extracts from the Preamble to their constitution will show.

Whereas, The art of mining coal in this state is yet in its infancy, and susceptible of many and great improvements; and further, that, to insure success, it is necessary that those engaged in it should avail themselves of every information that may tend to improve the manner of mining or transporting Coal—and that to insure that object, it is of vital importance to those concerned, that a free interchange of opinion should take place, that every improvement may be made beneficial to all who are engaged in the trade. Therefore,

Resolved, That a Society be formed of those engaged in the Mining of Coal; and that the object of the Society shall be to collect and disseminate information to its members on all subjects connected with the Mining, Transporting and Vending of Coal, and, as far as in them lies, to introduce and promote the use of Coal as a fuel and do such other things as may be beneficial to the Society and its members.

At the time the Association was formed, the following gentlemen were elected Officers, and at a recent meeting were re-elected to serve for the year 1833—At the same time the Board of Trade presented the following report, which was adopted and ordered to be printed.

President.

BURD PATTERSON.

Vice-President.

JOHN C. OFFERMAN.

Treasurer.

SAMUEL LEWIS.

Secretaries.

ANDREW RUSSEL,

CHARLES LAWTON.

Board of Trade.

BENJAMIN H. SPRINGER,

JAMES E. WHITE, of Mincerville.

SAMUEL BROOKE,

THOMAS S. RIDGWAY,

SAMUEL J. POTTS,

MARTIN WEAVER.

M. BROOKE BUCKLEY.

REPORT, &c.

The Board of Trade deem it proper, at this, the annual meeting of the "Coal Mining Association of Schuylkill County," to take a review of the state of the Coal Trade, from its commencement in this county, to the present time; and give their views of the future prospects of the miner, together with such comparisons and inferences as may be thought relevant to the subject.

So early as 1790, Coal was known to abound in this county; but, it being of a different quality from that known to our smiths as Bituminous Coal, and being hard of ignition, it was deemed useless, until about the year 1795, when a blacksmith named Whetstone, brought it into notice, by using it in his smithery. His success induced several to dig for Coal, and, when found, to attempt the burning of it; but the difficulty was so great, that it did not succeed.

About the year 1800, a Mr. William Morriss, who owned a large tract of land in the neighborhood of Port Carbon, procured a quantity of Coal, and took it to Philadelphia, but he was unable, with all his exertions, to bring it into notice; and abandoned all his plans, returned, and sold his lands to Mr. Pott, the late proprietor. From that time, to about the year 1806, no farther efforts to use it were made. About, that time, in cutting the tale race, for the Valley Forge on the Schuylkill, they struck on a seam of coal, which induced David Berlin, a blacksmith in the neighborhood, to make trial of it; his success was complete, and, from that period it has been partially used.

In the year 1812, our fellow citizen, Col. George Shoemaker, procured a quantity of coal, from a shaft sunk on a tract he had recently purchased on the Norwegian, and now owned by the North American Coal Company, and known as the Centreville Mines. With this he loaded nine wagons, and proceeded to Philadelphia;* much time was spent by him in endeavoring to introduce it to notice, but all his efforts proved unavailing. Those who deigned to try it, declared Col. Shoemaker to be an impostor, for attempting to impose stone on them for coal, and were clamorous against him.

Not discouraged by the sneers and sarcasms cast upon him; he persisted in the undertaking, and at last succeeded, in disposing of two loads, for the cost of transportation,—and the remaining seven he gave to persons who promised to try to use it, and lost all the coal and charges.

Messrs. Mellon and Bishop, at the earnest solicitation of Col. Shoemaker, were induced to make trial of it in their rolling mill in Delaware county, and finding it to answer fully the character given it by Col. Shoemaker, noticed its usefulness in the Philadelphia papers; and, from that period, we may date the triumph of reason, aided by perseverance, over prejudice.

At this period, the mountains were but partially explored, and the scant, but hardy population of the county, depended in a great measure on hunting, for their immediate wants, and on lumber, for supplying those articles of foreign product, that were required for their comforts or necessities.

The lumber procured during the winter, was formed into rafts, and sent down when spring freshets rendered the river navigable. By this uncertain, and at all times precarious mode of conveyance, the product of this county was conveyed to market, until the canal was completed, in the year 1825.

In the year 1814, a few of the most enterprising of the citizens, projected a canal from Philadelphia to this place, under an impression, that the lumber of Schuylkill county, and the grain of the counties bordering on the Susquehanna, would find a vent, and ultimately afford a dividend to the Stockholders.

At that period there were a few who looked forward to a time, when the coal from this county would be the principal article of export, and would become an article of general use; but the number was small, and a vast majority looked on the formation of a canal through this wild and mountainous region, as a chimerical scheme, more fitted for speculators in a stock market, than from any benefit that might result to the stockholders, or the public.

But, with all the discouragement attendant on a measure so opposite to public opinion, the stock was taken by the enterprising capitalists of our metropolis, and the work pushed with vigor to a completion; which was so far accomplished in the summer of 1825, as to enable boats to pass from Pottsville to Philadelphia.

As was to be expected, from a work of such magnitude, being undertaken and finished under such discouraging prospects, the canal was in many places defective; and, owing to the embankment being new, breaches occurred so frequently, for some years after, that it was at all times an uncertain conveyance, until, by the unremitting exertions, and laudable and praiseworthy perseverance of the directors of the Navigation Company, the work was, last year, brought to that state of perfection, that warrants the assurance, that the navigation may now be depended on.

It has been urged as a complaint against the Navigation company, that the tolls required are higher than

they should be, and, to enable us to sell coal as low as the citizens of our Atlantic cities require of us, that a reduction should be made; but, when we take into view the heavy amount, that has been expended by the company; and, that for many years, no dividend has been made; and that from the commencement of the work, up to the present time, the dividend on the stock will not average more than one half per cent. per annum; in addition to which, the projected improvements, for the coming and succeeding years, are of such magnitude, as will absorb the greater part of the revenue; it cannot, in reason, be asked of them to reduce the rate of tolls; and your board cannot withhold from the directors of the company, the expression of their approbation and praise, for the liberal and enlightened course they have pursued, in bringing the work to so perfect a state; and they feel gratified in anticipating the probable return that will, ere long, be made them for their capital, so long unprofitably employed in a work that requires such untiring zeal and perseverance, as has been seldom displayed in this or any other country.

In making the foregoing remarks, your board have been led some years in advance of their subject; but feel it due to the Navigation company, to give a view of their operations to correct mis-statements made of them, and to place the subject in its true light before the association.

They will now proceed to give a brief outline of the coal business, from the best information in their possession.

In the year, 1813, several small openings were made in different parts of the county, by sinking shafts; and the coal taken out, was vended to the smiths and others in the neighborhood, at 25 cents per bushel, or \$3 50 per ton, at the pits mouth. These shafts were sunk but a few feet, in the *crop* of the vein; and the coal, raised by means of the common windlass and buckets, and, so soon as they attained a depth where the water became troublesome, (which seldom exceeded 30 feet,) the shaft was abandoned, and another sunk; and the same process undergone.

In the year 1823, an improvement was made in the mode of working, and substituting horse power by the gin, for the windlass heretofore used; by which, they are enabled to clear the water from the shafts with greater facility, and to sink farther on the veins. But, with this, (as it was then conceived great improvement) they were only enabled to run down the vein for a short distance; and the coal, in point of comparison, was inferior; as experience has since taught, that the crop is not equal to the coal that is taken out lower, and when the roof and floor have attained the regularity and hardness, so necessary to ensure good coal.

At the period alluded to, rail-roads were not known amongst us, and the mode of transporting was by common wagons, over roads at all times bad, and through a country, where, from its mountainous character, the horse was able to perform but little, in comparison to what can be done on a plain and level country.

Yes, with all these difficulties, the work was continued; and the price attained, (owing to the heavy expenses of working) afforded but a scanty pittance to the men employed, without, in any manner, reimbursing the owner of the land for the loss of the timber, exclusive of the impoverishing of his coal beds.

As far back as 1814, drifts had been run on the heads of veins, in several places; and the coal brought from them in wheelbarrows: but it was not until 1827, that the rail-road was introduced into drifts, and from that period to the present, drifts have been the universal mode. Improvements have been making from that to the present time, and it is believed they have attained that degree of perfection, which has so long been desired; and such as to enable the miner to work on the best and cheapest plan.

The introduction of rail-roads into this county forms an important era in the history of the district, and de-

* For some interesting facts, respecting the discovery and early use of this coal, and the improvement of the Schuylkill, see Register, vol. 3. pp. 301, 302, especially p. 302.—*Ed. Reg.*

serves the attention of all who are engaged, or, in any manner interested in mining: as by their introduction, those distant beds of coal, that, a few years since, were believed to be too remote to admit of being worked; but were held as a reserve, for a future generation: and were supposed to be unavailing, until all those beds lying on the canal were exhausted, and which are now brought into active use, and the whole region, forming a district, averaging 18 miles in length, from east to west; and in breadth, from north to south, 4 miles, is traversed or intersected by rail-roads; and is rendered capable of being worked.

Previous to the erection of any of the public rail-roads, our enterprising fellow citizen, Abraham Pott, constructed a rail-road from his mines, east of Port Carbon, to that place, making half a mile. This served as a model; and may be termed the beginning, from which all originated.

The Mill Creek rail-road was begun in 1829, and finished in the same year; it is a single track, 40 inches, and extends from Port Carbon to the Broad Mountain: it is now intended to lay a new road to intersect the Danville road at the Broad Mountain: which can be done at a small expense. This road runs through the coal regions, from east to west, and cost originally

\$5,000

The laterals leading into it, cost

4,000

\$9,000

The Schuylkill Valley rail-road was commenced in 1829, and finished in 1830. It extends from Port Carbon to Tuscarora, is 10 miles long; with a double track of 40 inches, and cost

63,000

Add to which, laterals, that intersect it in every direction,

20,000

83,000

The Norwegian and Mount Carbon rail-road, which is designed to form a part of the Pottsville and Danville rail-road, was commenced in 1829, and finished in 1831. About one mile above Pottsville, it branches and runs up the east and west branches of the Norwegian. For three miles it is a double track, 56½ inches, built in the most substantial manner, and cost

97,000

Its laterals cost about

3,000

100,000

The next in order is the Mine Hill and Schuylkill Haven rail-road, which extends from Schuylkill Haven, (5 miles below Pottsville) to the Broad Mountain: a distance of 11 miles, and with the West Branch connecting with it, forms a line of 15 miles, at a cost of

182,000

To this road there are several miles of lateral, costing

20,000

202,000

The Little Schuylkill rail-road, extending from Port Clinton to Tamaqua, a distance of 22 miles, touches but for a small distance on the coal region, until it approaches the valley of Tamaqua. This road is, at present, laid down with a single track, 56½ inches; but as it is not yet completed, but is designed for a double track, calculated for a locomotive engine, it will cost, when finished

260,000

To which may be added the roads and laterals connected with mines,

immediately on the line of the canal; which at a moderate estimate, cost

2,000

262,000

Making a total of rail-roads, of

\$656,000

The amount invested in lands and buildings in this county, is estimated at

6,000,000

The amount expended in opening veins, fixtures, cars, &c. &c. connected with mining,

200,000

To which may be added 500 boats, averaging \$500 each

250,000

Making a total of money invested, amount to

\$7,106,000

Although mining was carried on here from 1813, it was not until the canal was completed, that any correct account of the coal sent, could be obtained. Until that period, arks and river boats were used; and the quantity sent down was small, and the difficulty of selling was great at any price.

Until the year 1820, wood was the only fuel used in Philadelphia: but, from the immense quantity required to supply the city, the forests in the neighborhood were fast disappearing, and a means for a future supply had for some time occupied the attention of the economist and philanthropist.

The discovery of coal in the counties of Lehigh and Schuylkill, appeared to offer the long desired mode of furnishing a supply when the forests were exhausted; and, as wood had attained even at that date, a high price, (being frequently from 10 to 15 dollars per cord, during the winter, when the navigation was closed) and every year increasing, the introduction of coal, as a substitute for wood, was attempted; but it being of a quality unknown to most of the citizens, great difficulties were to be overcome before it could be introduced to any extent.

To accomplish this object, it was necessary to combat and remove old and long established habits and prejudices; and to satisfy the public that a saving would be made. In addition to the habits of the people being fixed, all the preparations for consuming fuel were made for wood, and before coal could be used, grates must be substituted for the open fire-places, at a heavy expense, which was thought too great to be hazarded for an uncertainty.

It was a long time before grates were brought to that degree of perfection, sufficient to satisfy the public that anthracite coal could be used: as the early friends of the measure, in their zeal to introduce it into general use, held out to the public the idea that so small a quantity was sufficient to answer for heating rooms, that many, acting on their suggestion, had their grates constructed on so small a scale, that they were found totally inadequate for the purpose, and were thrown aside by many in despair, and wood was again resorted to.

The experiment, after repeated trials, succeeded; and, in 1825, they were brought to such a state as to satisfy the public that coal, as an article of fuel, could be used with safety and economy.

In addition to other causes that operated against the general use of anthracite as a fuel, its general hardness and want of bitumen prevented its easy ignition, and required some practice to enable the citizens to make their fires; and it was considered quite a recommendation for a servant, if they were able to make coal fires.

The year 1825 may be considered as the era from which we may date the fair introduction of anthracite coal; as grates were then brought to perfection; and from then to the present date the consumption has gradually increased. To bring before the Association at one view, the increase of the trade, we annex a statement of coal shipped from this section, from the

year 1825 to the present date, with the price paid at this place.

1825	6,500	tons at	\$3 08 per ton*
1826	16,767	do	2 80 "
1827	31,360	do	2 80 "
1828	47,284	do	2 52 "
1829	79,973	do	2 52 "
1830	89,984	do	2 52 "
1831	87,854	do	1 50 "
1832	209,271	do	2 37 "

From the foregoing statement it appears that from 1825, the increase has been gradual, and at an average price of \$2 51 per ton.

From documents in possession of the Board, it appears there were sent to tide-water during the last season, from all sources, 373,871 tons, and from the best information we are able to collect, the supply on hand in all our cities when the navigation opens, will not exceed 20,000 tons, which will leave for the last year's consumption, 353,871 tons. As it is fair to infer that the increased consumption will keep pace with that of former years, we may put down the demand for 1833, at 480,000 tons, of which 20,000 are already in market, leaving 460,000 tons to be supplied from all sources. Of this quantity it is possible the Lackawana works may be able to furnish 90,000, and the Lehigh 100,000—leaving to be supplied from this county, 270,000 tons.

Agreeably to the circular of the Lehigh Company, they will be able to furnish, the coming season, 150,000 tons: but, as they have for some years been in the habit of estimating their capabilities at 100,000, which they have never realized, and as their means of transportation will be no greater next season than they were last, it is believed 100,000 tons will be the maximum of their product.—The Lackawana, from the opinion of experienced engineers, is able to furnish on their present road, no more than 90,000; at which amount we have rated them.

Assuming 270,000 tons as the quantity that will be required from this region, the next inquiry is, are we capable of furnishing that amount? and for what price can it be delivered in the boats?

It is the opinion of the Board, that the quantity required can be furnished, if the drifts, now in order, and about being put in order, are worked vigorously; but should purchasers be backward in giving their orders, that quantity cannot be had, as it required strong exertions to yield the quantity sent last season, although more than 30,000 tons of that quantity was of old stock that had been mined the year previous; but, owing to the depressed state of the trade and the consequent low price in 1831, had lain at the mines, until a price could be obtained that would save the owners from loss.

It is believed from the panic that pervaded the dealers in Boston, New York, and Philadelphia, that the orders in the spring will be limited, and that but a small business will be done in the early part of the season. Should this be the case, the quantity mined will fall far short of that required—as from the nature and situation of many of our openings, there is not room to stock up a large quantity—and, in consequence, the works must be suspended or worked weak handed. In either case the operators will be forced to seek other employment, and become scattered over the country, and when wanted cannot be had.

It appears by the statement heretofore given, that the price of coal delivered on board the boats prior to 1831 was \$2 70 per ton; and that the average from the

commencement of the business was \$2 51. To those at a distance that sum may appear large. A slight acquaintance with the business will satisfy every unprejudiced mind, that it is not more than sufficient to reimburse the collier for his capital employed. To the unexperienced it bears the appearance of a safe and lucrative business—and, were fire-side calculations to be relied on, this assumption would hold good.

But to those who have had experience in mining, and have known the actual charges, the sum heretofore charged is known to be no more than a fair profit on the capital invested. Could all the veins opened be relied on, and were there no faults to be encountered, coal would afford a fair profit at \$2; but as these are cases that none have realized—but, on the contrary, all veins are not only liable to, but actually are troubled with them, it cannot be considered as a compensation.

It is well known to all of this Association that faults have occurred at times when least expected, and when every preparation was made for doing a large business, and that it is no uncommon occurrence to meet them when every appearance indicated a fair and prosperous issue. Weeks, and sometimes months, are required to cut through these faults, before a ton of coal can be again taken from the vein: and breasts are again to be opened, shafts sunk for ventilation, and a long time spent in preparing. Besides all this, the constant wear and tear of wagons, fixtures, &c. forms a series of items, together with numerous et ceteras that cannot be taken into calculation until actual experience has pointed them out.

To afford the collier a fair profit on his investment, and enable him to keep his works and fixtures in order, the Board feel confident that nothing less than \$2 50 per ton at Pottsville or Port Carbon, and \$2 75 at Schuylkill Haven will be sufficient. The difference of 25 cents between Pottsville and Schuylkill Haven is a fair allowance, as the increased distance they are required to haul on the West Branch rail road will require all that sum; and as the difference in freight and toll between the places is 25 cents in favor of Schuylkill Haven, the places, by this difference, are brought to a perfect equality.

The Board have seen, with astonishment, the charge of monopoly brought against the colliers of this region, and the high price of coal in our Atlantic cities, attributed to the grasping spirit of colliers here. They would pass this unmerited charge by, as unworthy of notice, but that the accusation having been so long made and undenied, has induced a belief in many, that there is foundation for it; and, under a belief of the truth of the accusation, petitions are about being presented to congress, praying them to reduce or abolish the duty on foreign coal. They have seen, with equal astonishment, that the Board of Aldermen of the city of New York, (under the impression, as they presume, that the charges against us are founded in fact,) have also, as a body, petitioned for a repeal of duties.

A charge of so grave a nature, coming from so respectable a source, requires from us a firm denial; as well as proof of the unjustness of the charge. We have already shown that, with the exception of the year 1831, coal was never sold lower than it was the last year; and it is well known to all engaged in the trade, that the price of 1831 was far below what the article cost. The price of that year was not sufficient to pay for the labor of taking the coal from the mine, and delivering it on the landing, and the owner received nothing for his coal.

It is a well known fact, that a perch of building stone, or 24½ cubic feet, costs in Philadelphia from \$1 to 1 25. It is quarried from the mines, two miles from the city, and is known to be much easier obtained than coal; it does not require one-fourth the labor, and is of no intrinsic value: whereas a ton of coal, or 28 cubic feet, is hauled on an average 10 miles, and

* This year 5,000 tons were exported from Schuylkill, and 13,520 tons from the Lehigh. The trade on this last river commenced in 1820, and the first exportation took place in 1822, viz. 73 tons. See Reg. Vol. I. p. 251.—*Ed. Reg.*

was delivered in 1831 for \$1 50, making a difference in the cost of not quite one-third of a cent per cubic foot more for coal than for building stone. This fact needs no comment, and must, at first blush, satisfy all.

The true cause of coal costing more last season at tide-water, than of right it should do, was not owing to the price at which it was sold here; as we believe we have fully shown it was quite as low as it could be afforded, but was owing to the extravagant freights that were paid for carrying it on the canal.

The depressed state of the trade in 1831 discouraged the building of boats, and when the canal opened in 1832, it was found that there were not sufficient to carry to market the quantity required. In consequence freight opened at \$1 50, which was deemed, by the dealers here, a fair rate; and as it paid a good profit to the boatmen, it was believed it would have a beneficial effect, as all our boat-builders were put in requisition, and there was a fair prospect that there would, in a short time, be a sufficiency, and that we could safely depend on freight going no higher. This might have been the case, had not the cholera appeared in Philadelphia; but, so soon as that scourge was known to have made its appearance, the boatmen became alarmed, and many of them drew off their boats, and the few who continued, were only induced to remain by the increased wages they received. From \$1 50, freight went up as high as \$3 75; in the meantime, boats were being built at every yard, and it was confidently anticipated by those who are engaged in mining, and whose interest it is to deliver coal at the cheapest possible rate, that, as soon as the alarm should subside, business would resume its usual course, and that freight would come down to a fair standard. But the partial stop put to shipping, and the consequent small shipments, caused purchasers to instruct their agents, (many of whom have no interest farther than the commission they receive,) to forward, as fast as possible—in consequence, a competition took place between the agents, who should do the most. The boatmen took advantage of the contention, and all hopes of reducing freight to a fair standard were dissipated. In consequence of this, an average of \$2 was paid for freight, more than should have been done, and that sum was added to the cost of coal at tide-water. It is believed by your Board, that there will be a sufficient number of boats on the line, at the commencement of the coming season, to carry all the coal that may be required, and that freight may be had, the season through, at \$1 50, provided that agents of houses in our cities be instructed not to raise on each other.

As a great portion of the evil may be traced to the unlimited order given to agents, we would suggest the propriety of each member advising their customers, to select from amongst our citizens, a committee who shall serve as advisers for agents in all cases; and it is believed an arrangement may be made, that will insure a fair price to the boatmen, and at the same time, save the distant purchasers from extortion.

From information derived from sources that may be relied on, we feel warranted in saying that there will be 600 boats on the canal, at the opening of the season, and as the average burthen last year was near 35 tons, and embraced a large number of "Union boats," and as all the new boats are of 45 tons and over, it will be safe to average the boats for next season at 38 tons, making a tonnage amounting to 22,800. Allowing 16 trips for the year, they will be able to transport 364,800; but, as a portion of the boats will be used for transporting other articles than coal, it will be safe to estimate at 270,000 tons for coal, which is the amount that will be required, and as we may conclude \$1 50 as the highest freight, the cost of a ton of coal, delivered at tide water, will be—

Delivered in the boats at Port Carbon,	\$2 50
Toll on the canal,	1 00

Freight to Philadelphia,

50

\$5 00

At which price it will be the cheapest fuel that can be used, and below which it will be impossible to deliver it, with any prospect of profit to the collier.

It has been urged on the public that if the present duty is taken off, coals may be imported from England, and sold at prices below what they are now selling for. To those engaged in mining Anthracite coal, it is of little consequence whether there is any duty on the article or not, as it is confidently believed by your board, that the superiority of our article for domestic purposes, as well as for generating steam, is so great over Bituminous, that it can never be brought to compete with it, even if sold at a lower price; as it must be evident to all, that those who have only used Anthracite, will never willingly abandon it for Bituminous. But as there are large beds of Bituminous coal in this state, as well as in Virginia, that might be affected by a reduction of duties, it may be well to examine into the truth of the assertion.

It is well known to all mercantile men, that the principal part, if not all the coals brought from England, are brought as ballast; and if the ship owner can realize cost for the article, he is satisfied to lose the freight and charges, as from the nature of the articles brought from England he is compelled to take coal or salt as ballast, or purchase stone or earth, which is utterly useless when brought to this country. But admit for a moment that the whole country is to be supplied from England; and it must be evident that a large number of vessels will be employed, and if a fair freight is paid, so far from reducing the article, it will enhance the price, exclusive of rendering it at all times a fluctuating article.

In the year 1830, a committee was appointed from both branches of the British Parliament, to examine into the state of the Coal Trade, and report. The committee was appointed on the petition of the citizens of a district, who considered themselves aggrieved by a tax or charge on coal, to the extent of less than one cent per bushel;—but with that prudent foresight that has always characterized that island of merchants, they examined with minute care, into every branch of that important trade, and after an investigation of near four months, the committee of each branch presented a report, which comprises 390 quarto pages, and were of opinion no alteration should be made, which opinion was adopted.

We find, by referring to that report, that the price of coal at New Castle upon Tyne, in 1829, was \$3.10 per chaldron, transporting from New Castle to London, \$2.40, and delivering from the vessels to the purchasers, \$3.05—and, that with all charges added, it cost the consumer in London, in the year 1829, for one chaldron delivered in his cellar, \$11.25, equal to \$10.32 1/2 per ton. To transport the supply of London from New castle, it required 7021 vessels.

From the foregoing, which from its high official character may be relied on, it is evident, that no reduction in price can be expected from a reduction of duties, or a free trade.

The British government has, for many years, looked to the coal trade, as a fruitful source for seamen, and it has, with truth, been called the nursery of their navy; that efficient arm of the nation. We may, from the gradual, but sure increase of coasting vessels employed in transporting our product to the Eastern States, look with equal certainty to this branch of trade, for a sure supply of our hardy seamen, when their country may require their aid.

Your Board could, by going into detail, adduce proof sufficient to satisfy the most inveterate advocate of free trade, that it is contrary to the interest of the nation, or of the individuals composing it, to reduce the duty on coal, but they deem the foregoing sufficient to satisfy all, who are not, from interested motives, wedded to

the principle of free trade, and should not have deemed it necessary to have said any thing on the subject, but from the respectable character of the Association, who now stand most prominent as applicants for a repeal.

With a district of country embracing all the variety of Anthracite Coal—with a class of individuals of the most persevering industry—we may fairly challenge a competition with the world. Here, the city dealer may be supplied with any article to suit the taste or opinions of his customers. He may have it of all degrees of hardness, and from the pure white, to the bright red ash, and of a purity, surpassed by none in the universe.

Within the last two years, the business has settled down to a fair and regular trade, and the care bestowed in clearing the coal from slate and other impurities has increased, and Schuylkill coal is deservedly esteemed above all other, and will, at all times, command \$1.00 per ton more than any other in the eastern market.

To preserve the high character we have obtained, the Board earnestly enjoin it on the association not to relax in their endeavors, but to continue their exertions, to add still farther to the character of our staple, and by close attention to the interests of those who confide in them, to merit and retain a character, that will warrant the foreign dealer in placing confidence in them.

As the executive of the association, the Board hold themselves prepared, at all times, to render all the aid and assistance in their power, and it will afford them pleasure, if the experience they have had in mining, can be rendered serviceable to any member of the association, or any person, in any manner interested in the trade.

B. H. SPRINGER,

Chairman of the Board of Trade.

SAMUEL J. POTTS, Secretary.

From the Philadelphia Gazette.

PROCEEDINGS OF COUNCILS.

Thursday, Feb. 1833.

The Councils met and went into joint meeting, with a view of awarding the premiums for the plans of the Girard College. On the ballot for the first premium, it was awarded to

Thomas U. Walters, of Philadelphia.

The second premium was awarded to

William Strickland, of Philadelphia.

The third premium was awarded to

Isaiah Rogers, of Boston, (Mass.)

After the joint meeting had adjourned, Mr. Groves, of the Select Council, offered the following, which was adopted and concurred in by the Common Council:

Resolved, that a committee consisting of four members from each Council, be appointed to report on the plans to which premiums have not been awarded, and that the said committee be authorized to report and award to the authors of the plans which may, in their opinion, be considered as combining the most merit, the sum of one hundred dollars; and to those of second grade, fifty dollars; and to any others which have any claims to merit or genius, the sum of twenty-five dollars, to be paid out of the Girard estate, upon orders drawn in favour of the different persons by the Mayor: Provided, that all such persons who may accept of the said premiums, agree to leave their plans for the use of the city authorities.

The committee consists of the following gentlemen.

Select Council.—Messrs. Groves, Worrell, Massey, Lewis.

Common Council.—Chandler, M'Mullin, Sailor, Merri-
ck.

At a meeting of the Select and Common Councils of the city of Philadelphia, held, according to ordinance, on Monday, the eleventh of February, 1833, the following named persons were elected,

Directors of the Girard College.

1. Nicholas Biddle,
2. George B. Wood, M. D.

3. Thomas M'Euen, M. D.
4. William H. Keating,
5. Richard Price.

6. Benjamin W. Richards,
7. Thomas Dunlap,
8. Charles Bird,
9. Joseph M'Ilvaine,
10. George W. Toland.

11. John M. Keagy, M. D.
12. William M. Meredith,
13. Algernon S. Roberts,
14. Capt. John Steele,
15. John C. Stocker.

As soon as the election was completed, the Clerks of the Select and Councils divided, by lot, the names of the persons chosen, into three classes of five each, according to the preceding arrangement—the first five, to serve one year, the second to serve two years, and the third to serve three years.

At a meeting of the "Board of Directors of the Girard College," at the Chamber of the Common Council, on the afternoon of the 18th instant, the Mayor having been called to the chair, and Richard Price appointed secretary,

In conformity with the ordinance of the Select, and Common Council, the Board proceeded to the election "of one of their own number to be President, and one other person, not of their own number, to be Secretary of the Board"—whereupon

NICHOLAS BIDDLE was elected President, and JAMES BAYARD, Secretary.

RICHARD PRICE, Secretary.

Upon taking the chair, Mr. Biddle made the following remarks:

"I thank you, gentlemen, very cordially for this expression of your confidence, of which I am deeply sensible. We are assembled in the execution of a trust, of which I do not overrate the importance when I say that there has rarely devolved upon any body of gentlemen duties more solemn than those we are now called upon to perform. I know of no example in the history of the world—and we may indulge a natural and honest pride in the reflection—I know of no example of any endowment for the purposes of public education equal to that which we owe to the unassuming munificence of this modest citizen of Philadelphia. That munificence, it cannot be doubted, is destined in all future times to exercise, either for good or for evil, a deep and enduring influence on the character of this community. Whether it shall be for good or for evil, will much depend on the first impulse which it may receive from our hands. We have been invested by the confidence of our fellow citizens with great powers and ample resources. Their wise employment may confer incalculable benefits on the community, while our want of care or of judgment may convert into a misfortune, one of the noblest benefactions ever bequeathed by a citizen to his country. This consideration imposes on each of us, a grave and anxious responsibility. For myself, occupied as I am with duties already sufficiently absorbing, I would not have ventured to assume any share of that responsibility, but for the conviction that every citizen owes to his country his services, however humble, whenever they may be deemed useful,—and for the assurance that my own deficiencies would be abundantly supplied by the better judgment of my associates. That assurance is amply realized by the presence of the gentlemen who surround me. I can only promise that I now engage in the execution of this great trust, with the deepest feeling of its importance, and with a sincere and zealous devotion to its purposes. With the same determination, you, gentlemen, will contribute more ability to justify the confidence of our fellow citizens."

ATHENÆUM.

At an annual meeting of the Stockholders of the Athenæum of Philadelphia, held at the rooms, on Monday the 4th day of February, 1833, Cadwalader Evans, Esq. was appointed chairman, and Charles H. Goldsborough, secretary.

Roberts Vaux, Esq. on behalf of the Directors, submitted their annual report to the stockholders, which was read, adopted, and ordered to be inserted on the minutes and published.

The statement of the Treasurer of the funds of the institution, and stock account, were presented to the meeting, and laid on the table for the inspection of the stockholders.

The meeting proceeded to the election of Directors for the ensuing year, and appointed Edward Olmstead, and Morgan Ash, Tellers.

The Tellers reported that the following gentlemen were duly elected.

Roberts Vaux,	Peter S. Duponceau,
Thomas I. Wharton,	Samuel Norris,
George Vaux,	George W. Smith,
William Smith,	Samuel Breck,
Jacob Gritz,	William M. Meredith,
Quintin Campbell,	Joseph Roberts, jr.
John Vaughan,	William H. Keating,
Clement C. Biddle.	

CADWALADER EVANS, Chairman.
CHARLES GOLDSBOROUGH, Secretary.

EIGHTEENTH ANNUAL REPORT.

In obedience to the requisitions of the charter, the Directors of the Athenæum submit to the stockholders, a statement of the finances and general condition of the Institution for the past year.

From the accounts of the Treasurer it appears that he has received during that period, the sum of two thousand nine hundred and ten dollars twenty-five cents, viz:

From 396 stockholders,	\$1584 00
Arrears,	72 00
Seven original subscribers, at 5 dollars,	35 00
Sixty-eight visitors for a year and portions of a year,	457 00
Transfers,	10 00
Interest on stock exclusive of Lehman fund,	627 25
Sale of five shares,	125 00
	\$2910 25

The disbursements have amounted to two thousand nine hundred ninety-two dollars forty-six cents, viz:

For books, maps, magazines, foreign periodicals, and English newspapers,	\$697 05
American newspapers,	377 57
Binding,	77 45
Lights,	225 23
Fuel,	81 60
Postage,	120 70
Agent at New York,	27 46
Incidental expenses and servant's wages,	196 23
Rent,	475 00
Librarian's salary,	600 00
Commissions on collecting,	114 15
	\$2992 46

By a sale of stocks, and an investment in mortgages during the past year, the capital of the stock fund is increased \$963, and its annual income \$95; and the capital of the Lehman fund is increased \$1595, and its annual income \$137—making a total increase of capital of \$2558, and of annual income \$232.

The amount of investment is—

Stock fund,	\$10,400
Lehman do.	11,500
	\$21,900

The number of stockholders is 422, and the value of

a share is upwards of fifty dollars, estimated from the cash fund, exclusive of the library, consisting of about 6500 volumes, valued at \$10,000 on which there is an insurance of \$3000.

The price of a share is at present \$25, and the Directors suggest to the succeeding Board, the propriety of increasing it, in the manner authorized by the charter.

Annual visitors are admitted for eight dollars. The rooms are capable of accommodating a larger number than usually attend, and the Directors believe that the patrons of the institution might be augmented, and its usefulness proportionately increased, if the means it possesses of affording rational entertainment and valuable instruction were more generally known to our citizens.

To the extent of their funds, the Directors have procured the most approved periodical works of Great Britain and France, and have added to the Library the principal works of merit which have during the past year, issued from the American press.

The Gazettes of the principal cities and towns of the Union, with duplicates of all the daily papers of this city and of Washington, are found on the tables—one French and four English newspapers are regularly received from Europe.

Eight hundred and fifty strangers have during the year, enjoyed the use of the Rooms.

On a review of the course of this establishment since its foundation, the Directors are gratified by the reflection that it has exerted beneficial, moral, and intellectual influences upon this community, and they believe it to be eminently deserving of the continued support of those who desire the advancement and diffusion of useful knowledge.

ROBERTS VAUX,
WILLIAM SMITH,
THOMAS I. WHARTON.

February 4, 1833.

THE BAR.

At a large meeting of the members of the Philadelphia Bar, held the 16th of February, A. D. 1833, William Rawle, Esquire, was called to the Chair, and James C. Biddle, was appointed Secretary.

On motion of John Sergeant, Esq., seconded by Thomas Bradford, jr. Esq. the following resolutions were unanimously adopted:

1. Resolved, That the Bar have learned with sincere regret that the state of Judge Hallowell's health has induced him to resign his place on the Bench of the District Court for the city and county of Philadelphia, where his learning and abilities have long been employed in the public service with great usefulness.

2. Resolved, That during a long official intercourse, it has been their pleasure to bear testimony to his judicial worth, to his learning and impartiality, the soundness of his judgment, and the perspicuity of his expression of it, as well as to his uniform kindness and courtesy as a gentleman.

3. Resolved, That we sincerely wish that with the satisfaction which always accompanies the recollection of a well spent life, our friend and brother may have the enjoyment of restored health, and many years of comfort.

4. Resolved, That William Rawle, John Sergeant, Charles Chauncey, William H. Tod, and James C. Biddle, Esquires, be a committee to communicate to Judge Hallowell, a copy of these resolutions.

On motion of Thomas I. Wharton, Esq. seconded by Peter A. Browne, Esq.

Resolved that the proceedings of this meeting be published.

JAMES C. BIDDLE, Secretary.

MR. RAWLE TO JUDGE HALLOWELL.

MY DEAR FRIEND,

As Chairman of the Committee, I have the pleasure of transmitting the proceedings of a large meeting of the Bar, held this morning.

You will perceive that the resolutions were unanimously passed, and you may be assured that the sentiments expressed in them were cordially and sincerely entertained.

I am, with the greatest personal attachment and respect to your affectionate friend,
JOHN HALLOWELL, Esq. W. RAWLE.

February 16, 1833.

JUDGE HALLOWELL'S REPLY.

MANSFIELD, Penn Township, Philad. Co. ?

Feb. 16, 1833.

Gentlemen—The resolutions adopted at a meeting of the Bar, held this morning, in relation to my retirement from office, have just been communicated to me.

The approbation they have been pleased to express of my judicial conduct, in such kind and affectionate terms, has excited in my mind emotions of gratitude and thankfulness, which I want words to convey. I shall carry with me into private life a deep recollection of their friendship and good opinion, and cherish it to the latest period, as my sweetest consolation and reward.

I request them to accept my thanks for their good wishes for my enjoyment of restored health and comfort in future, to be assured that after a most friendly intercourse and good understanding with them for two and thirty years as an associate of the Bar, and nearly thirteen years from the Bench, I part with them with sincere regret.

Accept, gentlemen, for yourselves individually, and for the members of the Philadelphia Bar in general, the assurance of my friendship and respect.

JOHN HALLOWELL.

Wm. Rawle, John Sergeant, Charles Chauncey, Wm. H. Tod and James C. Biddle, Esquires, Committee of the Bar.

Thomas M. Pettit, Esq. has been appointed by the Governor, successor to Judge Hallowell.

From the Bucks County Intelligencer.

A statement showing the two extremes of Fahrenheit's Thermometer, situated, where there was a free circulation of air, and northern exposure, in each month, and the corresponding day of the month: Also, the perpendicular depth of Rain, which fell through the several months of the year 1832; at the residence of J.B., Solebury township, Bucks county, Pa.

1832. MONTH.	Highest ° F. M.	Day of Month.	Lowest Sun rise.	Day of Month	Inches of Rain.
January,	56°	18	*6°	27	5,37
February,	62	19	8	24	5,71
March,	74	12	10	18	2,69
April,	83	14	22	9	2,35
May,	80	18	40	11	6,39
June,	92	17	51	4	1,90
July,	94	2	54	13	4,81
August,	95	4	50	25	9,56
September,	84	16	40	14	2,35
October,	73	10	27	29	6,06
November,	70	3	18	16	3,22
December,	60	10	11	23	6,18
					56,59

February 16, 1833.

☞ A snow fell yesterday, to the depth of six or eight inches which is by far the greatest quantity that has visited us at any time this winter.—*Mauch Chunk Cour.*

IRON ORE.

The wealth of our country is daily developing itself. Besides our inexhaustible coal regions and other sources

of permanent profit, we have now the pleasure of stating, that a valuable bed of Iron Ore, has been discovered in Beccaria township, on the premises of Messrs. Campbell and Richards. From the specimen shown us, it appears to be of the richest kind, extremely heavy, resembling in some degree more the appearance of the metal after leaving the furnace, than most others. Those that are acquainted with the ore found principally in England and Wales, believe this to be of the same nature, and of a like formation. We are of opinion, that Iron Ore exists in different parts of the county, and that the erection of one set of Iron works would in a short time be followed by numerous others, because, independent of our internal advantages, our proximity to the western market is considerable over that enjoyed on the other side of the mountains. To men of capital, disposed to embark in manufactures, we think that no section of country has greater inducements, or stronger assurances of profitable investments, than the county of Clearfield presents at present. The Phillipsburg Rail Road, when finished, will be found to be of the greatest importance, inasmuch as it will throw open another valuable outlet to the produce of the county, by connecting it with the improvements on the Juniata.

—*Clearfield Banner.*

THE REGISTER.

PHILADELPHIA, FEBRUARY 27, 1833.

In our present number is inserted an interesting paper by Professor Johnson, on the Economy of Fuel, which we think merits the general attention of our citizens. The subject of it is one of great importance to every house-keeper. Those who are about to erect dwellings for their own occupancy, may derive from it some suggestions, which will enable them to make a practical application, calculated to promote comfort, and economise room as well as money. We have examined the apparatus of Mr. Johnson, and were much pleased with the general and economical arrangement of it. The equable temperature maintained by it, throughout the house, is truly agreeable. We have no doubt, that Mr. J. will be gratified to exhibit the stove, &c. upon any proper application being made to him. We regret, that not having a plate, we were compelled to omit it, as well as a detailed description of the whole.

The Report of the Board of Trade of Schuylkill co. furnishes an interesting view of the origin, progress, and present condition of the coal trade on that river.

Several valuable papers are on hand, which want of room compels us to postpone. The limited space allotted to a weekly paper, prevents our keeping pace with the quantity of matter which is daily accumulating, but which is well worthy of preservation, and will appear in course.

The snow storm noticed in our last, ceased about 9 o'clock on Friday evening, and the snow pretty generally disappeared the next morning, affording but a short opportunity for sleighing.

On yesterday, the corner stone of the Washington Monument was deposited in Washington Square, by permission of Councils. An account of the parade and proceedings will appear hereafter.

* Below Zero.

HAZARD'S REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

VOL. XI.—NO. 9. PHILADELPHIA, MARCH 2, 1833. NO. 270.

REPORT OF COMMITTEE ON GAS.

To the Select and Common Councils.

The Committee on lighting the city with gas, to whom was referred the remonstrance of sundry citizens against its introduction, accompanied by an offer from Thomas W. Morgan to supply the city with oil,

Report—That they have duly weighed the matter contained in those communications, and made such inquiries as the nature and importance of the various subjects referred to, especially the remonstrance, seemed to require.

The remonstrance sets forth sundry reasons, which, in the opinion of the signers, should be considered by Councils as sufficient ground for rejecting an ordinance, reported by this committee, for the construction of gas works.

In connexion with this remonstrance, the signers have presented a document, purporting to be an account of numerous accidents and disasters,* attributed to this mode of lighting, and as the incidents referred to in this "chapter of accidents" are manifestly the foundation of all the objections urged by the remonstrants, the committee have felt themselves bound to bestow upon them an attention which they could not otherwise have claimed. In proceeding to explain the circumstances to which these documents refer, the committee feel bound to protest, at the outset, against all those statements, in support of which, no other evidence is produced by the remonstrants than the irresponsible accounts contained in newspapers, the mere perusal of which must strike any candid and reflecting man as either gross exaggerations or fabricated, like much other coin circulated through the same channel. Nevertheless, that they might not appear to undervalue statements which a number of their respectable fellow citizens have deemed important, an inquiry was instituted, concerning all within the reach of direct and unequivocal testimony. This inquiry has elicited facts and statements, which coming as they do, from the most authentic sources, are entitled to our highest confidence, and are therefore appended to this report.

It will not be denied, that public streets may be lighted with gas in a manner much superior to that by any other means; and it is presumed that the citizens who have remonstrated against its introduction, would freely withdraw their objections if convinced that they are without foundation, or that the great improvements which have been made of late years in the manufacture of gas, have completely, or, in the main, overcome the dangers or inconvenience which they fear.

The two first objections urged in the remonstrance, are so nearly allied, that they may be treated under the same head, and are of so serious a character as to demand careful consideration.

They are—*"The account of explosions, loss of life, and destruction of property, where this mode of lighting has been adopted."*

Secondly—*"They consider gas as ignitable as gunpowder, and nearly as fatal in its effects."*

The evidence appended to this report directly contradicts the first of these objections, and shows how lit-

tle reliance is to be placed on the document presented by the remonstrants.

Your committee will meet the second objection with two distinct propositions.

First—*That carburetted hydrogen gas is not of itself explosive.*

Second—*That this gas is not of itself ignitable at all.*

A lighted candle put into a gasometer will be instantly extinguished—for flame can in no case be sustained unless supplied with oxygen. It is clear, therefore, that no explosion can take place, nor can any light be emitted until the gas is mixed with atmospheric air, from which it imbibes its oxygen. So long as gas is preserved by itself in close receivers, no accident can occur—and further, the mixture cannot be ignited, except by the application of flame—a spark or coal will fall into it without effect.

In 1823, the matter claimed the attention of the British Parliament, and was thoroughly investigated by a committee, who, in the course of an examination which lasted several weeks, elicited the best information the kingdom could produce.

The result of this inquiry will be found in the following abstract of their report.

"Your committee are of opinion that the danger likely to arise from gasometers and gasworks, is not so great as has been supposed, and that, therefore, the necessity of inference by legislative enactments pointed out in the reports referred to them, does not press at the present period of the session.

"It appears that great improvements have taken place in the apparatus, machinery, and management of gas works since 1814, the date of the report from the committee of the Royal Society, which have very much lessened the danger from such works, and that improvements are daily making in every part of them that must still further lessen the danger necessarily attendant on such establishments.

"The evidence sufficiently supports the opinion that the risk of accident or danger is but small, if the ordinary care and attention necessary in every large establishment, is paid by the officers and workmen employed in the premises.

"It is in evidence, that carburetted hydrogen gas, usually supplied to the public, is not of itself explosive, but that, in order to render it so, a mixture of from five to twelve parts of atmospheric air, and the application of flame, is necessary, whilst the manner in which the gasometer houses are generally built, renders it extremely difficult to form the mixture requisite for explosion, and consequently, renders the chance of accident remote.

"The danger attendant on the use of gas in the streets and passages, appears also to be small, and that it will, probably, by the better management and care of the persons employed in these establishments, be henceforth lessened.

"Your committee cannot close their report without expressing their satisfaction that the public have obtained so great and so rapidly increasing a means of adding to the convenience and comfort of society, as the use of gas, under due management, must afford: and they are of opinion, that, as a means of police, much benefit would be derived from its general introduction to light the streets of this metropolis."

Ten years have elapsed since this report was made,

* See page 63.

and no action has since been found necessary in that country for similar reasons. It has for ever set at rest the ill-grounded apprehension of the weak and ignorant, and suspended the opposition of the interested antagonist. From that moment the system has had its uncontrolled sway. Public attention was excited, and the rapidity of its course has been unrivalled by any other art or invention.

As the remonstrance under consideration referred especially to numerous accidents which had occurred in this country, your committee conceived it their duty to lay before councils the best information they could obtain on the subject. They therefore addressed a letter to Hon. Charles Wells, Mayor of Boston,

Hon. Gideon Lee, Mayor of New York,

Hon. Jesse Hunt, Mayor of Baltimore.

The replies of these gentlemen, together with a letter from Hon. Jacob Small, formerly Mayor of Baltimore, addressed to J. K. Kane, Esq. chairman of the gas committee in 1826, in reply to similar inquiries, will be appended to this report.

The third objection urged is in the following terms: *"They believe the vast number of fires in New York and other cities, may in a great measure be ascribed to this mode of lighting; the leakage of pipes and carelessness of stopping off the gas, furnish almost daily instances of its fatal effects."*

This objection has not the smallest shadow of foundation. An appeal to common sense may convince us that a fixed light cannot be so dangerous as a portable one. To extinguish gas light, it must be stopped off; and if the pipe leaks, the smell of the gas will detect it.

In addition to the evidence contained in the letters appended, your committee addressed a letter to Mr. W. W. Fox, President of the New York Gas Company, who has transmitted a letter from the Presidents of six Insurance Companies, of which the following is a copy:

Mr. Wm. W. Fox,

Dear Sir—In reply to your inquiry, whether the introduction of gas lights into buildings is deemed by this company to have increased the hazard from fire, I have the pleasure to state that, upon its first use in this city, the Fire Companies generally came to the conclusion, that their risks were not enhanced thereby, and premiums were of course, not varied. Indeed, it is obvious that the fixed position of the gas lights renders them less liable to communicate to any combustible material than portable lights of either candles or oil lamps.

Very respectfully,

J. WORTHINGTON,

President of Franklin Fire Insurance Co.

(Signed)

JNO. LAURENCE, President Merchants' Fire Insurance Company.

A. L. UNDERHILL, President Fulton Fire Insurance Company.

E. LOMB, President Manhattan Insurance Company.

JNO. LEONARD, President of Firemen's Insurance Co.

THOMAS R. MERRICK, President Equitable Company.

CHAS. TOWN, President Aetna Insurance Company.

The fourth objection urged is to the "uncertainty of the light, sometimes suddenly disappearing and leaving streets and houses in darkness."

The occurrence of such a disaster the committee have witnessed. While they cannot admit that a temporary inconvenience, and one so easily remedied, is any argument against a great and positive convenience, they have taken occasion to examine into the cause, in order entirely to obviate the difficulty in works to be erected; and being satisfied that no evil could result from this cause, they deemed it unnecessary to advert to it.

The constancy and perfection of gas lights depend upon the uniformity of velocity, with which the gas issues from the burner. Consequently, any change of the pressure under which it flows, must cause a corresponding alteration in the size and brilliancy of the flame.

Hence the necessity of keeping the pressure uniform, and so regulating it as to correspond with the quantity of gas in consumption.

In the early stages of the art, it was found difficult to effect this object; but in consequence of the improvements which have been made in the machinery, this difficulty has vanished; and the lights, in well constructed works, are kept up with perfect uniformity. In the preservation of a uniform light, much depends upon the location of the works, and character of the ground over which the conduit pipes pass. The gas, being of less specific gravity than atmospheric air, will ascend rising ground with sufficient velocity, under very slight pressure; while much pressure will be required to compel it to descend; consequently the velocity with which it issues from the burners, will vary at different points, on the same line of pipe, if there exist any considerable undulation in the ground.

It is necessary, therefore, in locating the regulating gasometer stations, to seek the most depressed points in the city to be lighted.

It was for this cause that your committee selected the Dock street lot as the first gasometer station, and advised that the great feeding main should be laid in Water street.

By a reference to their former report, it will be seen that the larger street pipes are so arranged as to reach other depressed points in the eastern plane of the city, designed for future gasometer stations; and the pipes designed for Dock street, and Third street, are larger than the wants of those streets require, in order to make the transmission of gas more easy among the several regulating stations. In this city, especially, a regularity of light may be preserved with great facility, the slope of the streets being so uniform as to present no obstacle to the accomplishment of this desirable object.

The total disappearance of light is caused by a momentary suspension of pressure, and can only occur in those works where the gasometers are allowed to depend on their gravity alone, to keep them perpendicular in the tanks. In such cases, if by any accident the gasometer rest on an obstruction in the tank, the pressure on the gas will be relieved, until the gasometer is freed; a suspension of flow is the consequence. This accident is liable to happen if the sides of the tank are not exactly perpendicular. The difficulty, however, has been entirely overcome, in later constructed works, where the gasometers are supplied with friction wheels, round the lower edge, which keep them freely suspended.

The "*Fifth objection is, that the waters of the Delaware and Schuylkill must soon experience the deterioration which has reduced the water of the Thames to its present impure and unhealthy state, for no reservoirs will be able to contain the immense fetid drains from such an establishment, to the destruction of the immense shoals of shad, herring, and other fish with which they abound.*"

In confirmation of this objection, the evidence of fishermen and others, who attribute the destruction of fish in the Thames chiefly to the discharge from the gas works, is adduced.

These charges were made at the time by the persons alluded to; and in consequence thereof, and certain legal proceedings, the practice of casting the residual matters into the river, was thenceforth discontinued.

The gas companies were in the habit of discharging the fetid lime water used in purification into the sewers, which flowed into the Thames: for this offence the Dorset street company was indicted, and the nuisance abated. From that time certain of the companies evaporated their lime water under the retorts, for use; others merely drained off the water and sold the lime for manure.

If the remonstrants had made inquiry at Baltimore, they would have found a gas factory located in the middle of the city, all complaints respecting which had

ceased as long ago as 1826, as will be perceived by Mr. Small's letter appended. Now all the refuse of this factory had, until November last, to pass some hundred feet over the pavement before it arrived at the entrance of the sewer; and it can hardly be supposed that the inhabitants of that city would have scarcely endured the passage of "immense fatid drains" along their streets, without complaint, for a long series of years.

The facts, that nothing passes from well conducted coal gas works but water; all the residual matters being marketable, and forming a vast source of revenue. This water having been used to hold in solution, the lime used in purification, is more or less tainted and of disagreeable odour. The committee therefore recommended in their former report, that a pipe be laid under ground, to convey this tainted water under the tide; well knowing that no evil could result to the shad, especially in a river which they have long ceased to frequent.

If there are any fears on this head, a sink dug to the gravel will absorb every thing that flows from the works.

The Sixth and final objection is in these words:

"The constant digging of the streets, and the circumstances of the gas pipes, which, at the intersection of each square, must come in contact with the water pipes, are difficulties and evils which they would most anxiously avoid."

The latter part of this objection has no foundation, as the pipes never can come in contact any where. The first part is an inconvenience, but not so great as the remonstrants would have us believe.

They have in their perception the great annoyance experienced when the water pipes were laid down, and if the same scene was acted over again, the objection would be worth consideration, but the cases are far different. It will be recollected, that in laying down the water pipes, the superintendent was obliged to dig the trench in the middle of the street, to an average depth of six feet, the earth therefrom occupying the entire space between the trench and curb stone on one side, while the other side was encumbered with pipes, tools, and the operations of the workmen, thus rendering the street almost impassible. In addition to this, the operation was generally delayed by the necessity of removing the old wooden logs, the street remaining for a long time unpaved, to give time for the proper consolidation of the disturbed earth.

On the other hand, gas pipes are of smaller dimensions, and are to be laid but half the depth—two lines in a street, either close to the curb or under the foot-way. By laying one line at a time, no interruption of passage will occur, and the quantity of earth removed so small that, as in other cities, it may be rammed and repaved without delay.

If the same plan should be pursued here that obtains in Boston and Baltimore, the inconvenience will not be felt.

There the men are divided into separate gangs, each operating in their respective spheres, so that the trench is dug, pipes laid, earth filled in, rammed and repaved on the same day, leaving but a few feet open to commence the next day's operation.

In conclusion, your committee would take occasion to suggest, that the objections made by the remonstrants have in no case been sustained by competent testimony; but, on the contrary, have been confuted in the most ample and satisfactory manner by the evidence hereto appended, which has been furnished by gentlemen of the highest authority, both as regards their acquaintance with the subjects on which they have testified, and their known respectability of character.

Having shown that the objections urged by the remonstrants are founded on error, your committee next proceed to consider the offer made by Thomas W. Morgan, to supply the city lamps with oil for five years, at 80 cents per gallon, half winter and half summer strained,

Why Mr. Morgan should have presented this offer before any advertisement for proposals had been issued, and for the extraordinary term of five years, is to be found in the phraseology of the proposal, namely, to bear upon the decision of Councils on the question now under consideration; and regarding it as offered for that purpose, it shall be considered accordingly.

The introduction of this subject brings again under discussion that part of the former report of this committee which relates to the comparative economy of coal gas and oil. Before proceeding further, your committee must apologise for the grievous offence for which so much censure has been bestowed upon them in the public prints, that of quoting oil at *one dollar per gallon*, while Mr. Morgan will furnish it at *eighty cents*.

In extension, they will refer Councils to the Price Current, in which they will find the average price of winter and summer strained, from January to June last, quoted at 87½ cents; in September it advanced to 95 cents; during October and November, it was steady at \$1; in December it advanced to 102½ cents, at which price it rested at the date of the offer, that is, summer oil 95 cents, winter 110, average 102½.

It was impossible for the committee to divine Mr. Morgan's secret intentions, or to know how far the New Bedford whalemén might deem it to be for their interest to make a sacrifice on the small quantity used for public purposes, in order to ensure a monopoly of the market to private customers and prevent competition; and it was not till the offer was made by him that the magnitude of the object to be gained was perceived, or the motives of the opposition to the gas works appreciated.

The great dissimilarity between the market price of oil, and the offer, induced the committee to make a similar comparison for former years; and they find that in 1827, the contract price was 61 cents; the average price of the two oils at the time of the contract was made, 62½ cents; difference 1½ cents.

	Contract price.	Market price.	Difference.
1828	65 cents.	69 cents.	5 cents.
1829	66 2-3	71½	4 86-100
1830	72	77½	5½
1831	77	85	8
1832	83	87½	4½

Thus the greatest difference between the market and contract prices, in the last six years, was eight cents per gallon; and that contract was made *shortly after Mr. Johnson's resolution in Common Council, to inquire into the expediency of constructing gas works*. The offer of Mr. Morgan to supply oil at 22½ cents below the market price, can only be attributed to a determination on the part of the New Bedford whalemén, for whom he sells, to prevent, if possible, the creation of any competition in the sale of oil to private consumers, even at a sacrifice on that used for public purposes. And in this design, we must give them credit, for setting us an example of that long-sighted policy for which our northern brethren are celebrated; an example which it might be well for us to follow.

In the former report your committee compared the value of coal gas as relating to oil, at 200 feet of the former to one gallon of the latter.

It appears that some apprehension has arisen on the part of certain individuals, who suppose the committee intended to estimate the cost of manufacture of coal gas at \$3 33½ per 1000 feet. The committee made *no estimate* of the cost of manufacture. They contented themselves with stating that \$3 33½ was the selling or market price of coal gas, and showed that the company who make it, sell at that price, and are now deriving handsome profits. Surely this is plain enough to any one not pre-determined to misunderstand. In fact this corporation will make a handsome profit by manufacturing and vending coal gas at that price; and the committee proposed to expend the profits in giving the citizens light in the public streets.

In comparing the economy of the two modes of lighting, as respects the citizens generally, the *retail price* of oil must be taken into view. To them it must be a matter of some moment to receive their nightly supply of light without even the trouble of cleaning lamps or inserting wicks, at a cost of 66 2/3 cents per gallon for oil, for *that would be the retail cost of 200 feet of gas*, instead of paying, as they are now doing, from 110 to 125 cents for oil. If we were to consider these works merely as regards the expense of public lighting, the object would be small indeed. It is the duty of every legislature to advance the general interests of the people with whose government it is entrusted.

The mere saving of a few shillings in the tax bill is of minor consideration, when compared with the general comfort, convenience, and positive good, to be derived by a community, from any great public measure.

The broad question is always to be considered, whether a proposed measure will be a general benefit to the citizens or not. The measure now proposed, is the construction of gas works.

Independently of the consideration, that the profits of these works will, in the course of a few years, relieve the citizens entirely from taxes for lighting the streets, while that object will be attained in a manner far superior to the present mode. The inevitable consequence will be, by the creation of competition, that while those who use the gas will procure the same amount of light at a far cheaper rate—others who do not, will feel the effects, in the price of oil itself.

Of the amount of this saving, your committee can form no adequate estimate; not having the necessary data to show the quantity of oil consumed during a year in the city; but that it is immense, there can be no question. If, therefore, the manufacture and sale of gas, at a price which we have the most positive evidence yields a handsome profit, will produce such benefits to the citizens generally, the Councils are not justified in refusing to introduce it, while they steadily refuse any one else the privilege to do so.

Your committee are aware, that this report has been already extended to an unusual length, but the importance of the measure, and the deep interest it has excited, must be their apology for trespassing still longer on the time of Council.

Perhaps it may not be strictly within rules, to notice any matter in a report, but that directly referred, but the bitter attacks which have been made in the public prints upon this project, and in some cases, personal attacks on this Committee, make it proper for them to trace the action of former Councils in relation thereto.

They do this with less reluctance, as the able report of a former Committee sheds much light on the subject, and may perhaps aid the Councils in their decision.

The first action of Council was in the session of 1826-27, upon an offer made by Messrs. Robinson & Long, to supply the City lamps, within the range of their pipes, with as much gas as would give double the light as the oil lamps in use, at the same price as the oil lamps cost. Provided permission was given to lay pipes in the streets. This offer was subsequently extended so as to light the *Public lamps free* of all cost.

With this application came the following recommendation:

"We the subscribers, citizens of Philadelphia, being anxious for the improvement of our City, would be glad if Councils would take into consideration the foregoing application." (Signed)

Calwallader Evans,	Jos. S. Lewis,
Coleman Sellers,	Jno. Evans,
C. W. Peale,	Geo. Yaux,
P. A. Brown,	Ed. S. Burd,
Thos. P. Cope,	R. A. Caldcleugh.
John Bacon.	

This application was referred to a Committee consisting of Messrs. J. K. Kane, Jos. Donaldson, Levi Garrett, Thomas Hale, who, after carefully examining the sub-

ject, and extending their inquiries to all authentic sources within their reach,

Reported, "That they were satisfied, that the proposed plan of lighting the City, would be more effectual, cheaper, and in some respects less troublesome, than that now pursued, and that the opportunity which it would present to the citizens of employing gas to illuminate shops and large buildings throughout the city, would be found generally advantageous."

Their report was unfavourable to the application, but suggested several inquiries. The most important was, "whether it would not be wiser and safer, more accordant with the established policy of this city, and in the end more for its pecuniary interest, to rely for the supply of Gas, on the manufactories conducted by an officer of the City, at its cost, and under its exclusive control."

At this suggestion, a second committee was formed of three members of each Council, whose report gives evidence that they investigated the subject very closely; while they postponed, for reasons assigned, any immediate action. They go on to state,

That, they are persuaded, from the information they have collected, that the lapse of a few years, will make it proper to consider this question again. The experience of all the principal cities in England, and two in this country, which are now lighted with gas, is uniform, with regard to its general expediency, and further that,

"It appears by the ordinance before the committee, that the manufacture of gas, from coal, or oil, does not, in the present improved state of the process, produce noxious or offensive smell in the neighbourhood, either of the manufactory or of the culverts, by which the refuse matter is carried off, in a greater degree, than other manufacturing processes which are always permitted in cities—that it does not involve peculiar danger or liabilities to accident—that it does not require extraordinary care, or experience on the part of the workmen, while under the direction of a faithful superintendent, and that the supply of gas, from a well regulated manufactory, is not exposed to irregularity, or occasional intermission; but is certain and constant, under all circumstances.

It further appears, by the same evidence, that the use of gas is not dangerous; that it is not more hazardous to property, or life, than other kinds of light; and is not offensive to the smell, or unsteady; but that on the contrary, it is generally employed in hotels, manufactories, theatres, and other buildings, where there are facilities to procure it. That where it has been used to light the streets of cities, the effects of its superior brilliancy, have been a reduced necessity for a large night police, and a sensible diminution in the number of crimes, and the introduction of it into cities has been uniformly deemed a public benefit by their citizens."

After noticing the offer made by Messrs. Robinson & Long, the committee go on to show,

"That a much greater saving may be made in the end, by establishing manufactories, at the expense of the city, from which the public lamps should be supplied, and the right of using the gas vended to the citizens. Indeed it is doubted whether the profits of the gas sold, would not, in the result, nearly defray the expense of lighting the city."

This report is signed by Messrs. J. K. Kane, J. Donaldson, Chas. Massey, Jr., T. Hale, and Samuel Wetherill, and your committee consider their opinion as entitled to great weight.

From the time this report was made, December, 1826, it appears that the construction of gas works, at city expense, when the proper time should arrive, has been anticipated by all parties, and accordingly, every application by private companies for permission to lay pipes in the streets, has been refused. In 1827, the question was brought again before Common Council, and carried, but failed in the other chamber.

Other actions have since been had, upon private applications, but no serious effort, on the part of the citi-

zens was made, until the session of 1831-2, when three petitions were presented, wherein, "the petitioners call the attention of councils to the expediency and propriety of erecting, at the expense of the corporation, suitable works for the supply of gas, for lighting the streets and private houses. They were impressed with a belief, that the corporation of Philadelphia, availing itself of the experience of other cities, may now embark in such a project with decided advantage, and with a certainty of avoiding every reasonable objection on the score of inconvenience or expense. They believe, moreover, that when gas works shall have been erected on a proper plan, the city may derive such a profit from the sale of light to private establishments, as will repay the expense of lighting our streets, in a superior style; and at no very distant period, sink the capital originally expended. If these views be correct, your honourable bodies will not hesitate to adopt a measure, so important to the convenience and security of many private individuals, and so well calculated, by increasing the light of streets, to aid the operations of the general police."

These memorials were signed by

Thos. P. Cope	G. Newbold
W. Platt	R. M. Lewis
James Perot	Franklin Platt
J. K. Kane	John Fritz
Edw. B. Garrigues	H. D. Gilpin
Amos Taylor	S. Bringham
Lawrence Lewis	Ed. Needles
E. L. Carey	G. W. Dixon
Saml. Palmer	A. S. Roberts
J. S. Hollingsworth	Oliver Cope
John Sanderson	Jas. M. Key
John Phillips	A. S. Mackie
Francis King	A. Russell
S. V. Merrick	Wm. M. Collins
Chas. Johnston	Geo. Peterman
Isaac Lloyd	Caleb Cope
J. Phillips	Saml. S. Penrose
Wm. Niel	C. Price
Thos. A. Wright	R. S. Kennedy
A. Sellers, jr.	Saml. Spackman
Saml. Ross	John White
Wm. C. Cooper	Alfred Cope
Armon W. Davis	Thomas Earp
Thos. C. Garret	T. Wickersham
Danl. B. Griffin	M. E. Israel
E. S. Simmons	M. Hanson
John Eberle, jr.	Charles Humphreys
John Davis	John Ruthlerford
Ed. C. Melke	John Watson & Co.
Jas. Williams	Isaac Starr
Richard Price	Thos. Simpson
Wm. J. Shellas	R. Battius
Edw. C. Biddle	James Glentworth, jr.
S. G. Morton	D. Winnebrenner
Jos. Price, jr.	Jos. Roberts
Saml. P. Griffith	Solomon Temple
J. S. Rose	J. K. Williams
James Kitchen	W. F. Krumbhaar
Isaac Lea	W. R. Kitchen
A. Hart	Richard Price
James Large	Edw. Leadwick
J. N. Hammes	Edw. Roberts
John Latour	Ed. R. Evans
John A. Coffee	John Biddle
Jas. Latimer	Wm. H. Barrington
Saml. J. Robbins	Geo. W. Watson
Thomas Melton	Norwood Penrose
N. Bunker	And. Garret
C. Hedelius	Nicholas Newlin
A. L. Hart	Oliver Fuller
Caleb S. Wright	Chas. J. Thomas
Chas. Robb	W. Smith
Wm. Robb	Henry Troth
Wm. Biddle	Philip Garret
J. Kerr	

The presentation of memorials containing so strong an expression of the wishes of the citizens, could not fail to attract that attention from councils which the importance of the subject demanded.

Accordingly, Messrs. Lippincott, Neff, Pettit, Wetherill, Moss, and Lehman were appointed to renew investigations upon it.

This committee appear to have made all the inquiries necessary to arrive at correct conclusions. They corresponded with individuals versed in the art, procured estimates of the cost of works and the manufacture, and satisfactory evidence as to its utility, economy, and expediency. The report of their proceedings, in favor of granting the prayer of the petitioners, was made to Select Council, on the 13th of September, 1832, accompanied by two resolutions, which were considered and passed, without division, on the 4th of October.

"Resolved, *By the Select and Common Councils, that it is expedient to adopt a plan for lighting the streets of the city with gas, and for supplying public and private buildings with the same.*"

"Resolved, *That a committee of three members be appointed to examine the property at the corner of Chesnut and Schuylkill Front-sts, and report on the measures proper to be taken in order to establish a gas factory according to the views contained in a report made by a committee of Councils, September 13, 1832.*"

The close of the session being near at hand, the report and resolutions, as adopted, were referred to the early attention of the next Council.

Thus, a measure which had received the sanction of all former committees, and had been postponed under proper considerations at the time, was, upon the petition of a large number of highly respectable citizens, finally considered and resolved upon by the Councils of 1832, who have left their resolutions to be carried into effect by their successors. Accordingly, at the first meeting of Council, the undersigned were appointed to report the measures necessary to carry these resolutions into effect, who proceeded to review the labors of their predecessors.

Being aware of the great losses which have occurred in the construction of public works, from the circumstance of those having the general superintendence being compelled, for want of practical information, to depend solely on the agents employed, your committee determined that no censure should be attached to them on that ground. They, therefore, asked and obtained leave to visit all the works in this country, for the purpose of making themselves acquainted with the art in its practical details. The result of this inquiry was a further confirmation of the opinions heretofore detailed by other committees, as to the general expediency of the measure.

The report of this committee, while it embraced as much general information as was deemed necessary, was not intended as an argument upon the expediency of the measure, as it was believed the adoption of the system of lighting had been determined on. Their estimate of expense appears to have been as much misunderstood as other items. The desire of the committee was to inform Councils of the whole eventual cost; while, by the ordinance, they limited the amount of capital to be invested at \$300,000, and showed that the profits of the works would, after that expenditure had been made, be sufficient to supply the remainder, and extend the pipes as fast as prudence would dictate.

Upon a review of all circumstances, your committee are of opinion, that a proper understanding of all facts in relation to gas lighting, as they really exist, is all that is now required to banish from the minds of their fellow citizens, who now oppose it, all hostile feelings, and render the adoption of the plan as popular as that pride

* See Report, vol. x. p. 187.

† See p. 33 present volume.

of our city, the Water Works. To those who recollect the excitement which existed when those works were projected, and which are now so deservedly popular, can feel no surprise at any expression of hostility to a project, which our citizens have been assiduously taught to believe is fraught with every species of evil, without a redeeming quality, and with the merits of which they are to this day unacquainted.

The best evidence of good to result, is to be obtained by experience; and as we have the means of bringing this plan to the test of experiment at a moderate expense, and without risk of loss, your committee would recommend that Councils should limit their views, in the first instance, to the lighting a part of such streets as are occupied by stores and public buildings—say, parts of Market, Chesnut, Second, Third, and Fourth-streets. To this end, the works should be commenced, as suggested, on Schuylkill. But one gasometer placed on Dock-street lot, and the connecting main, with five or six miles of pipe laid; the expense of which will be covered with about \$90,000. By limiting the pipes to the centre of the business population, a very large revenue in proportion to the expenditure will easily accrue, and our fellow citizens will have ample opportunity of forming a correct opinion in relation to the expediency of prosecuting the work to completion.

All which is respectfully submitted.

Philadelphia, 14th Feb. 1833.

Letter from Hon. Gideon Lee, Mayor of New York, to S. V. Merrick, Esq.

MAYOR'S OFFICE,
New York, Feb. 13, 1833.

Sir—The letter you addressed to me on the 17th January last, was placed in the hands of the committee of lamps and gas of this corporation, to prepare the answers to your inquiries on the subject of gas lighting in New York—that letter has been mislaid among the multiplicity of documents in their charge, but I am now enabled to reply thereto.

To the first of your queries,

Has there been any increase in the number of fires in your city since the introduction of gas lights—and if so, do you attribute the increase to the gas?

I answer—I am not aware that there has been any increase in the number of fires since the introduction of gas lights: nor can any of the fires that have taken place be jointly attributed to their use.

2d. Has there been any instance in which houses are known to have caught fire from gas: and if there has, on what evidence does the assumption of the fact rest? All the accidents occurring from fire and attributed to gas lights, as far as I have ascertained, would have happened equally from the use of lamps or candles.—Indeed, the newspapers have charged one accident to the use of gas, where none was within the building: and others where the gas was found stopped after the fire had been extinguished.

3d. Do you consider the introduction of gas into buildings as more dangerous than the use of lamps or candles?

I do not. Our insurance companies, who are the most competent judges in this matter, charge no additional rate of premium on buildings lighted with gas, considering them at least as safe: as a proof of this, the following are so lighted:—All our theatres within the gas limits—nine of the churches and session rooms—the Custom House and Post Office—the principal hotels, &c. viz: City Hotel—Washington Hotel—Clinton Hall—Masonic Hall—Tammany Hall—Webb's Congress Hall—Niblo's Congress Hall—Adelphi Hotel—North American Hotel—Pearl-street House—Franklin House—Military Hall, &c. &c.—Reading Rooms—Ball Rooms—Libraries—Bankers' Offices—Printing Offices—Museums, &c. &c.

4th. Has there been any instance within your knowledge of great loss of property—loss of life—or serious injury by the explosion of gas, in the works or pipes?

There has been no instance in this city during the existence of the Gas Company (eight years) of any considerable loss of property by the explosion of gas. The Gas Company state, that one hundred dollars would repay all the property ever injured by such cause—no serious injury has ever been sustained by any person—nor has any explosion ever taken place at their works, or about their pipes—no loss of life has occurred in any way connected with their operations.

Any other information within my reach, which you may wish to obtain, will be communicated with pleasure. I am, sir, respectfully yours.

GIDEON LEE, Mayor.

Committee of Councils on Gas Lighting, Philad.

Letter from Hon. Charles Wells, Mayor of Boston, to S. V. Merrick,

CITY OF BOSTON, Jan. 22d, 1833.

Sir—Your letter of the 18th inst. was duly received. In answer to your inquiries allow me to say, that the last fall, the gas works in this city took fire and burnt the roof entirely off; great fears were entertained at the time of the fire for the safety of the neighborhood, as the impression prevailed very generally that an explosion would take place, but, to the great surprise of all, no accident occurred. Soon after the fire, the subject was brought before the city council, and referred to a committee, who, after a full investigation of the whole subject, made a report that was quite satisfactory to the government, and I believe to the citizens generally, a synopsis of this report was published in some of our newspapers, a copy of which is enclosed. You will pardon me, for sending you a reply to your inquiries in this shape; but presuming it contains in some degree the information you are in pursuit of, and quite as much as it is in my power to communicate in any other manner, is my apology for adopting this course. I may further state, that the insurance companies in this city have not raised their rates of insurance in consequence of the introduction of gas-lights into some of our houses and stores.

This fact I think will convince you that the risk of fire is not incurred by this mode of lighting buildings in their opinion. If any other information in my power to give relative to the subject will be of service to you, it shall be communicated.

With great respect,

CHARLES WELLS, Mayor.

To S. V. Merrick, Esq.

Letter from Hon. Jesse Hunt, Mayor of Baltimore, to S. V. Merrick,

MAYOR'S OFFICE, Jan. 24th, 1833.

Dear Sir—I have received your favor of the 17th instant, and have given to the subject the examination and reflection which its importance merits. I will now, with pleasure, answer the questions which you have propounded.

1st Question:—"Has there been any increase in the number of fires in your city since the introduction of gas light? and if so, did you attribute that increase to gas?"

Answer—In my opinion, there has not been an increase of fires in our city since the introduction of gas light.

2d Question:—"Has there been any instance in which houses are known to have caught fire from gas, and if there has, on what evidence does the assumption of the fact rest?"

Answer—I do not know of a single instance of a house being seriously injured by fire proceeding from gas light; on inquiry, however, I am told that one case occurred in consequence of the gas light having been placed too near the ceiling; of course, an oil lamp in the same situation would have produced the same effect.

3d Question.—“Do you consider the introduction of gas as more dangerous than the use of lamps or candles?”

Answer.—It is my decided opinion that gas light is less dangerous than that of lamps or candles.

4th Question.—“Has there been any instance within your knowledge of great loss of property, loss of life, or serious personal injury by the explosion of gas in works or pipes?”

Answer.—I do not know of a single instance of loss of life, or serious personal injury in consequence of the explosion of gas works or pipes. I have known of several slight explosions in consequence of apertures in gas pipes, but in every case it is believed to have been the result of manifest inattention. The gas becomes extremely offensive before the requisite quantity to produce the explosive mixture can combine with the atmospheric air, to such an extent as to render an explosion at all probable, and of course it can always be prevented by turning off the gas.

Very respectfully yours, &c.

JESSE HUNT,
Mayor of Baltimore.

GAS WORKS.

This subject, which has occupied so much of the time and attention of the committee of the aldermen, in the investigation of the complaint against the gas works, is now set at rest, we trust, by the result of that inquiry.

The grounds of complaint against the gas works were four: 1st. Injury to health. 2d. Danger of explosion. 3d. Annoyance by the smell, smoke, and soot. 4th. Depreciation of real estate. The two first points were conclusively settled by the opinion of the consulting physicians, (Doctors Warren, Shattuck, Shurneff, Randall, and Hayward,) whose advice was taken by the committee, and who unanimously declared, “that no facts have come to their knowledge in this or any other city, which warrant the belief that these works are dangerous to health; so far as regard epidemics produced by atmospheric influence, they presume that the decomposition going on in these works would have a tendency to correct or destroy atmospheric miasmata, which produce epidemic diseases.” This opinion is corroborated by the fact stated in the French journals, that in Paris, where the cholera raged with greater violence than in any other city in Europe, the neighborhood of the gas works was comparatively free from its influence and ravages. The uncommon good health enjoyed by all the persons employed in the works in this city, including the proprietor who is there daily from six to ten hours, also demonstrates the groundlessness of this complaint.

The danger of explosion was shown to be equally imaginary. The gas is contained in a tub or vat called a gasometer, constructed of thick plank, surrounded with numerous iron hoops of great strength; the bottom of this vessel is filled with water to the depth of 19 feet, and in it is suspended a bell of plate-iron, riveted and made air tight. The gas is introduced into the bell through the water, and has no communication whatever with the external air, except by the supply pipes; when the bell is filled for the first time, there is a mixture of gas and atmospheric air in the gasometer, which is explosive, but this is only for a few minutes, and can never occur again, for the atmospheric air is forced out through the supply pipes, by the gas, and is consumed in the burners.

The physicians, on this subject, say—“The carburated hydrogen gas which is used for lighting cities, cannot burn, much less explode, except it be mixed with oxygen gas; that a mixture, sufficient to produce an extensive inflammation and explosion should suddenly occur, is highly improbable. If such an explosion of the gas did take place, we presume its effects would be

confined to the edifices in which it was manufactured.”

This concurs with the opinion of Sir Humphrey Davy, Mr. Wollaston, and other scientific men, who were examined in 1823, before a committee of the House of Commons in England, and *all experience since has shown its soundness.*

The third specification of complaint was the annoyance to the neighbors from smoke, smell, and soot. On this point, between thirty and forty witnesses were examined before the committee. Their statements were various as to the existence and degree of annoyance from these sources. One would assert, that he and his family were often suffocated with the stench of the gas, his rain water spoiled by the soot, and his clothing, hung out to dry, stained and spotted with the particles of black from the chimney of the gas works; while his next door or opposite neighbors declared that they and their families had experienced none of these annoyances, or had perceived only some of them in a very slight degree; this too was by persons equally the proprietors of the estates they occupied, and equally interested in getting rid of the gas works, if they were really a nuisance. Nothing, therefore, like “a common nuisance” could be made out from such contradictory testimony.

The last ground of complaint was the depreciation of real estate since the erection of the gas works in 1828. This was much urged on the consideration of the committee; and it was stated by different witnesses variously—some fixing the reduction in value as high as 35 per cent., and others descending gradually to 10 per cent. It was shown, however, by Mr. Robinson, that in Ward No. 1, to which all the grievances complained of are confined, there has been a steady increase in the valuation of the real estate in the last ten years, with the exception of the disastrous year 1830, (that “year of famine” to the proprietors of factories) when it was a little reduced. In 1823 the whole real estate in the ward was valued at \$831,400, and in 1832 at \$1,189,600. It was also shown, that during the period since the erection of the gas works, purchases of lands in that quarter had been made to the amount of \$287,000; and that, instead of any depreciation in price, within a few months, land adjoining the estate of Mr. Robinson had been purchased by gentlemen residing in the ward, at a price *higher than he gave for the gas works land.*

It was urged by the proprietor of the gas works that a removal of them was impossible; all the great ducts and arteries which were laid down under the streets, being adapted to the present location of the manufactory;—that in London, and very many other cities and towns in Great Britain, and on the continent, works of this nature have been established, and generally were to be found in the heart and centre of the population;—that so long ago as 1822, there were six companies in different parts of London, who worked more than eleven hundred retorts, while here, only eight had been in operation hitherto;—that in New York, Philadelphia, and Baltimore, the gas works were located in central and populous places, and had been in operation for years, *without complaint*;—that upwards of five hundred public and private buildings in this city are now lighted with gas, the fixtures for which had cost the consumers \$30,000;—that the moral effects from the use of gas in lighting the streets, and thus preventing assaults and crimes, for which always darkness is sought by the perpetrators, had been largely experienced in England, and warmly acknowledged, both by the committee of parliament, and by Sir Robert Peel, when Secretary of State;—and that a prohibition to his carrying on his works in their present location, would be equivalent to their entire destruction.

The committee, (Henry Farnam, John Binney, and Jabez Ellis, Esqs.) after much consideration, made their report; which, after stating the complaint, and

the evidence on both sides, they dispose of the two first, (and by far the most serious ones, if they were well founded,) by reference to the opinions of the faculty and the scientific men abroad; and, in conclusion, they say, that "Under all the circumstances of this important case, after carefully examining the notes of witnesses, and considering all the documents, they believe that those who live very near said works are occasionally annoyed and subjected to inconvenience, and no doubt to some depreciation in the value of their real estate; still, when the whole city is included, these gas works are a convenience to the inhabitants. In fact, the committee believe, that the introduction of gas lights into this city is a *great public benefit*, and they cannot close their report without stating further, that the cities in England have derived great comfort and convenience by the use of gas lighting, and as a *means of police* much benefit has been derived from the introduction of this light into their streets and lanes. The committee are aware, that this report will give offence to some of their fellow citizens whom they highly respect; but having honestly and unanimously arrived at the above conclusion, they cannot for a moment hesitate to declare it. The committee are of opinion, that the mayor and aldermen have a supervisory power to regulate and control said gas works, and should use it whenever *public safety* and convenience require, but at the present time it does not require their interference."

Letter from John Yates Cebra, Esq. to John Moss, Esq.
NEW YORK, 26 Dec. 1831.

John Moss, Esq.

Dear Sir,—In replying to your inquiries respecting gas—I can state with confidence, and in a very few words:

Gas is generally approved of and used in all the lower part of this city—drawing a line from Canal-street to the Battery. Canal-street is as high up as the present Company have permission to lay pipes.

There is nothing offensive arising from the use of gas, but *like oil*, may become so, unless proper care is taken.

Private families use it, and in almost every new and fashionable house now putting up, it is introduced.

Such an establishment is desirable in all large cities—our contracts for post and pipes have all been made with yr. Mr. Richards.

A new Company has been formed, and received a charter last winter for the upper wards, and the pipes will be laid down the moment they close their contracts with our corporation for lighting the city lamps.

The anxiety of our citizens is extreme to have pipes laid down for gas, in place of oil.

The present price or cost of lighting a city lamp as regulated by the price of oil—now cost \$5 12-100 per lamp.

With wishing you and your family, and the president of your board, a merry Christmas and a happy new year,

I remain yours, with respect and esteem,

JOHN YATES CEBRA.

I am not directly or indirectly interested in gas stock.
J. Y. C.

Letter from Hon. Jacob Small, Mayor of Baltimore.

MAYOR'S OFFICE,

Baltimore, Dec. 13, 1826.

To J. K. Kane, Esq. Philadelphia,

Sir—Your letter addressed to me as Mayor of the city of Baltimore, requesting information on certain points respecting the manufacture and use of gas in this city, for the purpose of lighting the public streets, has been duly received, and I comply with pleasure with your request.

Officially, I have no other knowledge of the subject of your inquiries, than the existence of a contract made

previous to my appointment to my present office; in virtue of which all the public streets and parts of streets through which the pipes of the Gas Light Company have been extended, are lighted by that company—the expense is no greater to the city than when the same portion of the streets was lighted with oil; the light is much superior, and the use of it much more satisfactory to the police of the city, and to the citizens. No complaint of any kind has ever been made to the police of any inconvenience or injury as resulting from the manufacture or the use of gas.

As an individual citizen of Baltimore, I have observed with some attention the progress of the manufacture of gas for lighting the public streets, and the buildings, public and private, in Baltimore. Complaints were made for some time after the commencement of the manufacture, by those who resided in the immediate neighborhood of the factory, that the smell was offensive; and, occasionally, it was complained of by those who used it in their stores; it was represented to be particularly offensive, when, from any defect in the pipes, it escaped without being consumed. All these complaints have long since ceased: so much improvement has been made in the manner of purifying gas, that I find from inquiry, the consumers are entirely satisfied, and that no offensive smell is perceptible in the houses where it is consumed, except when there is a defect in the pipes, and a portion of the gas escapes. From my own observation I can state, that the smell in the vicinity of the factory is not more offensive than in the neighborhood of tan yards, soap factories, and various other factories in the city. I have not heard of any complaint respecting the sewer or culvert by which the refuse matter is carried off from the factory, and therefore conclude that there is no cause of offence from that source.

No accident has ever occurred to my knowledge in this city from the manufacture or use of gas, nor can I learn that there is any accident or injury happened worthy of notice. The use of it in houses is not considered as increasing the risk by insurers against fire, and all who use it unite in stating it to be more cleanly, convenient, and free from trouble than any other description of light. The supply since the last improvements in the factory is certain, sufficient, and regular, and I can with certainty state it to be the general impression of the citizens of Baltimore, that the introduction of gas light into our city is highly beneficial to the public.

The time necessarily employed in making particular inquiries on some of the points mentioned in your letter, has delayed this answer longer than it was intended. If any other information on this or any other subject is desired, which you may suppose in my power to communicate, I shall with much pleasure answer your inquiries.

I am, with much respect, your obedient servant;

JACOB SMALL,

Mayor of the city of Baltimore.

Letter from Jno. J. Palmer, Esq. President of the New York Gas Light Company.

NEW YORK, January 26, 1833.

S. V. Merrick, Esq.

Sir—I have read the "disastrous detail" of accidents published in the Philadelphia Gazette, and said to have been occasioned by the use of gas lights. It is probable that those in other places are as much exaggerated as the instances stated to have occurred in this city. But for your information, I will now take them up in the order they have been presented, and give you the facts in each case as far as they can be obtained from the parties interested; where this is impracticable, from the best information to be got.

1. "An eclipse. New York—Chatham street, with-
in and without, left in perfect darkness by an ob-

struction in the pipes, as well as Chatham theatre," &c. &c.

This eclipse took place in 1825, almost immediately after the Gas Company commenced its operations. There was no stoppage in the pipes; but the supply of gas was really found to be deficient, and notice of the circumstance was given early in the evening to its consumers. This disaster therefore is frankly admitted; but I believe such a case has not occurred since.

2. "Great loss by fire.—50,000 dollars lost by fire, occasioned by the gas not being properly stopped, escaping from the pipe and igniting at the *coal grate*."

I addressed a note to Mr. N. Smith Prentiss, the owner of the premises alluded to, and enclose his reply marked No. 2. I have also ascertained that after the fire, the gas was found to have been shut off between the store and the street main.

3. "The theatre took fire from a flaw in the gas pipe, Nov. 1826."

The person who directed the lighting of the theatre alluded to, explains the cause of that trifling matter in a note marked No. 3.

4. "New York.—A shop window in the Arcade set on fire and destroyed by a bottle of Cologne water falling on the gas light."

The person occupying the store alluded to, explains this disaster by the statement No. 4. The use of gas is still continued by Mr. Hart.

5. "Store No. 65½ Broadway, Mr. Harrison, a few moments after lighting his gas, the gas *receded*, burning to the meter in the cellar and exploded with a noise equal to a 12 pounder, &c. Mr. H. much burnt."

This Mr. Harrison (who has left the city) had just taken possession of the premises, and attempted to use the gas lights without application to the company, the fixtures, &c. for that purpose being left in the store by a former occupant. Having turned on the gas by opening the stop-cock in his cellar; and finding it would not ignite at his burners, in searching for the cause, he set fire to the stream of gas flowing into his cellar. He was not aware that the connexion between his premises and the main had been removed. It is not true that the gas *receded*, for no gas passed into the tubing—or that any such explosion took place—or that Mr. Harrison received the smallest injury—or that any thing was burnt except the cob-webs at the cellar door.

I examined the premises the following day and received the information from Mr. H. who had the connexion restored and lighted his store with Gas.

6th. "New York, May 30, store corner of Broadway and Chamber street—contents destroyed, valued at \$15,000, *supposed* from Gas in the rear off front window.

This *supposition* is probably incorrect, from the statement given by Mr. Ayman the occupant, marked No. 6.

7th. New York. Explosion of Gas at the Masonic Hall, Nov. 1832—threw down chandelier and considerable portion of the ceiling on the company assembled, one severely and many slightly injured.

The tubing for conveying the Gas to some of the Lodges had been improperly led through a small dark closet in the third story, where a stop cock was placed. This becoming loose, an escape of Gas had been observed for some time, but was neglected. A servant approached the closet with a light to turn on the Gas, and ignited that collected within the closet. He was forced back from the door, and the concussion loosened a piece of the plaster from the ceiling in the room underneath. No chandelier fell—not a person in the assembly below received the slightest injury and the business of the meeting proceeded as usual.

These I believe are all the accidents, brought forward by the opposers of Gas lights applicable to New York. The fears and prejudices of this community are daily giving way to reason and experience, like steam-boats, rail roads and other improvements, this mode of lighting must overcome all obstacles, and come into general use here, as it has done in Europe.

Some of the paragraphs from London papers are too ridiculous to notice.

I am, sir, yours respectfully,
JOHN J. PALMER.

NEW YORK, Jan. 24, 1833.

John J. Palmer, Esq. President New York Gas Co.

Sir—I have never before seen the statement headed "Great Loss by Fire," contained in your note of yesterday, nor can I imagine with whom it originated.

It has always been my belief that the Gas Fixtures in the store in Broadway, in no way contributed to the destruction of the premises, and have uniformly so stated my conviction.

We have recently had the Gas introduced into our premises, No. 45 Maiden Lane; and believe that with ordinary prudence it is more safe than either oil or candles.

Yours respectfully,
N. SMITH PRENTISS.

The accident in the Gallery of the Bowery Theatre, occurred while the lighting of the Gas was under my direction. A trifling escape of Gas under the floor of the Gallery was carelessly set on fire by the man employed to light the burners, and owing to the difficulty of access to that part of the house some time elapsed before the Gas could be shut off, and the floor being filled with shavings done some trifling injury to the Gallery. But did not interrupt the performance of the evening, or prevent the Gallery from being open as usual.

STEPHEN B. DEAN.
New York, Jan. 26th, 1833.

NEW YORK, Jan. 24, 1833.

Having been requested to state the cause of the fire which occurred in the year 1827, in the store, No. 7 Arcade, then occupied by me, and whether the gas should be condemned as the occasion of said fire, I most unequivocally state, that the same result under corresponding circumstances, would have been produced from the use of any other description of light. A bottle containing a quart of Cologne Water had been placed on a shelf directly above and in the range of the gas burner. The heat caused the fluid to expand until the bottle burst. The spirit then took fire, from coming in contact with the flame and communicated it to the other inflammable articles contained in the window.

R. D. HART.

I hereby certify that the destruction of property in the store at the corner of Broadway and Chamber street, occupied by me in May last, was *not* occasioned by the use of Gas Lights, but to the best of my knowledge and belief by the carelessness of the clerk; and that I have ever since continued the use of Gas Lights in the same store, believing them to be at least as safe as Oil Lamps.

New York, Jan. 23, 1833. JOHN J. AGNUE.

From the York Republican.

ATTORNEYS OF YORK COURT.

The following list of the attorneys who have been admitted to the York Bar, was originally published in the *Marietta Pioneer*, and was taken from a manuscript "History of the Town and County of York, Pa." The names of those admitted since the list was made, are now added.

J. L. M.

Extract from a manuscript "History of the Town and County of York, Pa."

Among the attorneys who were admitted at York, upon the first opening of the courts of the county, were William Peters, John Lawrence, George Ross, David Stout, John Renshaw, &c. Those who have been admitted since, are,

Edward Shippen, admitted	April 30, 1751
John Mather, jr.	April 30, 1751

Samuel Morris	July 30, 1751
Joseph Galloway	do
Hugh Bay	Jan. 28, 1752
Thomas Olway	April 25, 1753
William Parr	do
David Henderson	July 29, 1755
Samuel Johnson	Oct. 28, 1755
James Bisset	Jan. 23, 1759
William Atlee	July 24, 1759
William M'Clay	April 28, 1760
Lindsay Coates	Jan. 29, 1765
James Reed	April 30, 1765
Jasper Yeates	May 29, 1765
Andrew Allen	July 23, 1765
Alexander Wilcox	do
Henry Eleves	do
Richard Peters jr.	do
Stephen Porter	do
James Sayre	do
Robert Gilbraith	Oct. 22, 1765
William Sweney	do
Edward Biddle	do
James Wilson	Oct. 27, 1767
Jacob Moor	Jan. 24, 1769
Thomas Hood	do
Jacob Rush	April 25, 1769
Stephen Watte	do
Col. Caspar Witzal	do
Christian Hoake	do
Thomas Hartly	July 25, 1769
John Hubley	July 24, 1770
James Lukens	April 23, 1771
David Grier	do
David Espy	do
Andrew Scott	July 23, 1771
Peter Zachariah Loyd	April 28, 1772
Andrew Ross	July 28, 1772
George Ross, jr.	July 27, 1773
John Reily	do
Robert Buchanan	do
John Stedman	Oct. 26, 1773
John M'Gill	do
Thomas Smith	Jan. 25, 1774
Charles Stedman	do
David M'Mecken	do
Jasper Ewing	Oct. 25, 1774
William Barton	April 25, 1775
James Wilson	Jan. 26, 1779
Col. Thomas Hartley	do
Maj. John Clark	April 27, 1779
George Noarth	July 27, 1779
Col. William Bradford	do
Stephen Chambers*	April 24, 1781
James Hamilton	do
Col. Robert M'Gaw	July 24, 1781
Stephen Porter	July 23, 1782
Thomas Smith	April 29, 1783
John Lawrence	July 29, 1783
Mathew M'Alister	do
John Wilkes Kitters	Oct. 28, 1783
James Riddle	Jan. 25, 1785
Jacob Hubley	do
Ross Thompson	April 26, 1785

Andrew Dudlap	Oct. 25, 1785
Joseph Hubley	do
James Carson	Jan. 24, 1786
William Montgomery	April 26, 1786
Peter Huffnagle	do
John Joseph Henry	do
John Woods	do
John Caldwell	July 25, 1786
James Hopkins	April 26, 1787
Charles Smith	do
James Campbell	July 29, 1788
George Fisher	do
John Lukens	Jan. 27, 1789
Ralph Bowle	July 28, 1789
Thomas Nisbit	July 29, 1789
John Moore	July 30, 1789
Mathias Barton	do
John Montgomery	April 26, 1790
James Kelly	July 27, 1790
David Walts	Oct. 26, 1790
James Orbison	Jan. 25, 1791
Samuel Riddle	Jan. 26, 1791
John Smith	do
Charles Hall	April 6, 1791
George Smith	do
Mathias Slough	March 7, 1792
David Moore	June 5, 1792
Jacob Carpenter	do
John Ross	June 6, 1792
Samuel Roberts	do
William Barber	March 2, 1793
William Ross	June 3, 1793
John Shippen	Dec. 2, 1793
Charles William Hartley	do
Thomas Elder	do
David Cassat	March 4, 1794
Parker Campbell	June 2, 1794
Samuel Scott Gilbraith	do
James Smith	Sept. 7, 1795
Thomas Bailly	do
Thomas B. Zantzinger	Sept. 4, 1797
Robert Hays	Dec. 4, 1797
Joseph Miller	March 5, 1798
Charles Hare	June 5, 1800
Richard Brooks	do
Andrew Buchanan	June 18, 1801
James Dobbins	June 19, 1801
John Strohm	Feb. 19, 1805
John M'Conaughy	Feb. 18, 1806
Bushnell Carter	April 3, 1810
Charles A. Barnitz	April 2, 1811
Henry Shippen	Nov. 5, 1811
John Gardner	Aug. 4, 1812
Jasper Slaymaker	Oct. 21, 1814
John Blanchard	March 31, 1815
Samuel Bacon	April 1815
James Merrill	Nov. 3, 1815
Samuel Merrill	Oct. 29, 1816
Thaddeus Stevens	Nov. 4, 1816
Edwin A. White	Dec. 17, 1816
Daniel Raymond	Jan. 6, 1817
Colin Cooke	April 9, 1817
Isaac Fisher	July 28, 1817
Molton C. Rogers	March 26, 1817
Edward Coleman	do
William Gemmill	April 6, 1818
Michael W. Ash	May 12, 1818
William H. Brown	May 11, 1818
John Wright	Aug. 9, 1818
James Lewis	Aug. 1, 1820
Daniel Durkee	Oct. 30, 1820
William C. Frazer	do
Thomas Kelly	Oct. 31, 1820
Webster Lewis	Dec. 28, 1820
Walter Franklin, jr.	Jan. 2, 1821
Joseph C. Cohen	Jan. 4, 1822
Jacob A. Fisher	March 28, 1822

* Mr. Chambers was a native of Ireland, whence he came to this country before the Revolution. During the war of our independence he signalized himself as a warm and worthy friend of the country; and afterwards was honored with several exalted stations in Pennsylvania. Among other things it may be mentioned that he was one of the council of censors in 1783, and was a member of the state convention in 1787. On Monday, the 11th May, 1789, he received a wound in a duel fought with Dr. Jacob Rieger, on Wednesday mortification was discovered, and on Saturday the 16th of the same month, he died at his house in Lancaster.

Charles B. Penrose	July 31, 1822
John Evans	Aug. 3, 1822
Calvin Mason	Aug. 5, 1822
Henry C. Campbell	Aug. 6, 1822
Charles Worthington	Aug. 28, 1822
George W. Klein	Aug. 29, 1822
John S. Wharton	Sept. 16, 1822
John Bowie	Nov. 4, 1822
Eman'l C. Reigard	Nov. 5, 1822
James Findlay	Jan. 7, 1823
Henry H. Cassat	April 7, 1823
Samuel M. Barnitz	do
Edward Chapin	April 9, 1823
F. M. Wadsworth	April 15, 1823
George W. Harris	Aug. 6, 1823
John Smith	Nov. 3, 1823
James Anderson	do
Richard Porter	Feb. 17, 1824
Xerxes Cushman	July 27, 1824
William C. Carter	Aug. 4, 1824
George A. Barnitz	Nov. 16, 1824
Robert S. King	Aug. 1, 1825
William Miller	Aug. 10, 1825
Morgan Ash	May 9, 1826
James Buchanan	Aug. 21, 1826
David F. Lamont	April 2, 1827
George Heckert	May 14, 1827
William B. Donaldson	Nov. 7, 1827
William H. Kurtz	Jan. 7, 1828
Ellis Lewis	Jan. 10, 1828
James Kelly	March 3, 1828
Miner T. Leavenworth	Aug. 9, 1828
Robert T. Fisher	Nov. 4, 1828
Benjamin Champneys	do.
Thomas C. Hambly	April 7, 1829
Robert M. Lee	Aug. 8, 1832
William W. Haly	Sept. 4, 1832
Ebenezer M'Ilvaine	Oct. 15, 1832
Benjamin Rush	Jan. 9, 1833

REPORT

Of the committee to whom were referred the petitions of citizens of the commonwealth of Pennsylvania, praying for the passage of a law authorising the call of a Convention to alter the Constitution. Mr. Sullivan, chairman. Read in the senate, Feb. 20, 1833.

The Select Committee, to whom were referred numerous petitions from different parts of the state, praying for legislative enactments preliminary to the call of a convention to alter the constitution, REPORT:

That they have approached the duty assigned them, with the caution and deliberation which its importance seemed to demand; and that the result was, a decision that the bill appended to this report, should be submitted to the senate for their consideration, accompanied by some remarks on the different propositions.

Before entering upon inquiries relative to the propositions in the bill, it may be proper to inquire into the propriety of originating the measure in the manner proposed. The bill of rights declares, that "the people have, at all times, an unalienable and indefeasible right to alter, reform, or abolish their government, in such manner as they may think proper." The correctness of this principle, it is believed, is not now, and never has been, denied by the people of Pennsylvania.

The question then arises, in what manner may the incipient step towards alteration or reform originate? The answer, according to the principle above recognised, is, that it ought to originate with the people. Some, whose opinions are entitled to respect, maintain that such preliminary action can alone be legitimate, in primary assemblies of the people. If this rule be applied in its most comprehensive sense, then it would seem that nothing short of a spontaneous, universal, and simultaneous rising of the people, in favor of a reform in

their frame of government, could be exerted to produce any change, whether trivial or important. Such an occurrence could scarcely be expected, except in cases of intolerable hardship, under an existing constitution. But if the principle above noticed be taken in a reasonable and qualified sense, positive action of the legislature would not, it is conceived, transcend its authority.

But we have the precedent of the act of the 28th March, 1825, "For ascertaining the opinion of the people of the commonwealth relative to the call of a convention." And if we may judge from the protest of the members of the legislature who voted against that act, there were, at that time, no petitions from the people on the subject; yet, in that instance, did the people of the state recognise the act of the legislature in the largest popular assemblies, (at the general election,) by giving 104,285 votes on the subject.

The proposition which the committee are now considering, presents itself with much greater force than that which attended the passage of the act just now referred to. In the present case, numerous petitions have been presented during the present session, and from almost every county in the state, and the committee are not aware of any remonstrance against the proposed measure. The very fact of the people petitioning, goes to accord to the legislature the authority to propose to them means by which the opinion of the majority may be ascertained, and it is humbly believed, that nothing in the plan proposed can possibly have a tendency, in the least degree, to compromise them; they have left to their free choice to approve or disapprove of the measure.

In the case of the former vote on the call of a convention, from, perhaps, a praiseworthy jealousy and apprehension of danger in throwing open the whole constitution, (many parts of which are excellent,) into the power of a convention, no doubt many who voted against it were influenced by that fear. The bill proposed points out the extent beyond which the convention cannot pass; this is a good security: the terms of the bill will be the terms on which each citizen will give his vote for or against a convention.

A few remarks will now be made on each of the propositions contained in the bill.

1. *The General Assembly to meet in January in every year, unless sooner convened by the Governor.*—This change of the time of meeting, will obviate the custom of the temporary holiday adjournments. These adjournments, long sanctioned by custom, take place, under the present regulation, at a period when the legislature has but just got into a train of despatch of their business. The ordinary nominal time lost, is about fifteen days; but the real loss of time, from several causes, may be estimated at one month. This is a clear loss to the state, to the amount of the daily pay and salaries of the members and officers of the legislature during that period, besides a large amount of contingent expenses, accruing in the same manner as though there had not been an adjournment.

2. *Judges to be appointed by the Governor, for a term of years.* This may be considered as a medium between election for a term of years and the present tenure of the office of judge, which, in reality, amounts to holding the office for life; because it is evident, from what has transpired within the last ten years, that it is next to an impossibility to remove a judge by impeachment, or address to the governor. The facts of misdeemeanor in office, partiality, neglect of duty, bodily or mental infirmity, or even immoral deportment, are not easily substantiated in so clear a light, as to induce two-thirds of both branches of the legislature to vote an address, or to pronounce guilty on articles of impeachment. Indeed, from past occurrences, it would seem that, unless in a time of extreme political excitement, judges may bid defiance to addresses and impeachments, the result of which would be acquittal, and an enormous

amount of costs for the attendance of witnesses and fees of counsel, all paid out of the treasury of the state.

It is thought that the tenure of a judgeship, for a term of years not unreasonably short or long, would on the one hand, preserve, as far as necessary, the independence of the judge, and on the other, prevent many of the evils now complained of, and which, for many years, have caused much dissatisfaction among the people in some parts of the state.

A good judge would scarcely fail of a re-appointment, if he should desire it, and one so far advanced in age as to be unable to perform the duties, could not reasonably ask it. Indeed, it would be more conducive to the public interest, to allow such an one a gratuitous salary, than to have the ends of justice frustrated, by having only a nominal judge in a county or district.

3. *Prothonotaries, Clerks of the Courts, Registers and Recorders, to be elected for a term of years.* These being officers of the court, there does not seem to be any good reason why they should not be elected by the people, as well as the sheriffs. This change would relieve the governor from a great portion of his embarrassing patronage, and would certainly be more republican than the present mode of appointment.

4. *Justices of the Peace and Aldermen, to be elected by wards, districts, or townships, for a term of years.* The remarks on the proposition relative to judges, will, in some measure, apply to this. By this regulation, the number would be graduated to the proper needs and conveniences of the different districts. At present, each new governor is pressed to make a large number of appointments, far exceeding the "competent number" intended by the constitution: he is often imposed upon, both with regard to the necessity of the case, and the character and qualifications of the applicants. This would also relieve him from a patronage more perplexing than that which is connected with the county appointments, and it is believed would not prejudice the administration of justice. It is always to be borne in mind, that the present constitution having been formed forty years ago, the immense increase of population, the large number of counties organized, and the numerous offices created by law since its adoption, have very much augmented the number of executive appointments.

5. *Provision for a Common School Fund.* On this subject, there has been so much legislation, and so little that can be called substantial or permanent, that to guard a fund so sacred, it should not be left to the fluctuation and uncertainty of legislation, but be fixed by the constitution; and then the people would have such a guaranty for its permanency, that they would be the more likely to contribute cheerfully to its support.

6. *Provision against Lotteries.* The great evils connected with lotteries are so manifest, that no argument is necessary in favor of fixing an insurmountable barrier against their being authorised by the legislature.

7. *The senatorial term to be reduced to three years.* As the senate consists of thirty-three members, the highest number allowed by the constitution, this change would cause the term of eleven senators to expire every year. At present, the expiring terms vary from eight to nine. The change proposed would produce uniformity, and it is thought the term would be sufficiently long for the necessary permanency of that body.

8. *A check by the Senate on all nominations for appointment by the Governor.* This is after the example of the constitution of the United States and some of the states of the Union, and is intended as a guard against improvident appointments.

9. *To provide for the election of a Lieutenant Governor.* This office is intended to provide against the contingency of the death, resignation, or disability of the governor, and would be an office without salary, except in case of performing the duties of governor.

10. *Provision for amendment of the Constitution.*

There being no direct provision for amendment in the present constitution, this circumstance has given rise to the difficulties noticed in a former part of this report. It cannot be doubted, that such a judicious provision might be made, as would, in future, facilitate amendment or alteration, without endangering the cardinal principles of our frame of government. One or two of several ways may be mentioned.—Let an amendment be proposed by one legislature, then let it be approved by a vote of the people, or by one, two, three, or more successive legislatures, before it should become a part of the constitution. It is always to be kept in view, that the proposed bill imposes no obligation on future legislatures, or on the people—both will be left free to act as their discretion may dictate, either with regard to the whole, or a part of the propositions.

The committee submit for the consideration of the senate, the following bill:

AN ACT for ascertaining the opinion of the people of this commonwealth, relative to the call of a Convention.

SECT. 2. *Be it enacted, &c.* That it shall be the duty of each of the inspectors of votes, for the several townships, wards, and districts, in this commonwealth, at the next general election, to receive tickets from the citizens thereof, qualified to vote at such general elections, and to deposit them in a proper box or boxes, to be for that purpose provided by the proper officers, which tickets shall be labelled with the word "convention," and within, the words "for a convention," or "against a convention," and folded, delivered, and received in the usual manner.

SECT. 2. *And be it further enacted, &c.* That the said election shall, in all respects, be conducted as the general elections in this commonwealth are now conducted; and it shall be the duty of the return judges of the respective counties thereof, first having ascertained the number of votes given for or against the calling of a convention, to make out duplicate returns thereof, expressed in words at length, and not in figures only, one of which returns, so made out, shall be lodged in the prothonotary's office of the proper county, and the other sealed and directed to the speaker of the senate, which shall be by one of the said judges delivered to the sheriff, with the other returns required by law, to be transmitted to the secretary of the commonwealth, whose duty it shall be to transmit the same therewith; and the speaker of senate shall open and publish the same, in the presence of the members of the two houses of the legislature, on the second Tuesday of December next.

SECT. 3. *And be it further enacted, &c.* That in contemplation of voting under the provisions and directions of this act, either for or against a convention, it is hereby declared and understood that such voting, or any consequent action relative to the call of a convention, or the election of delegates, or any alteration or amendment of the constitution, shall be confined and restricted to the whole or any part of the following propositions, that is to say:

First—The General Assembly to meet in January in every year, unless sooner convened by the Governor.

Second—Judges to be appointed by the Governor for a term of years.

Third—Prothonotaries, clerks of the courts, registers and recorders, to be elected for a term of years.

Fourth—Justices of the peace and aldermen to be elected by wards, districts, or townships, for a term of years.

Fifth—Provision to be made for a common school fund.

Sixth—Provision against lotteries.

Seventh—The senatorial term to be reduced to three years.

Eighth—A check by the Senate on all appointments by the Governor.

Ninth—To provide for the election of a Lieutenant Governor.

Tenth—Provision for amendment of the constitution.

CAPE DE VERD ISLANDS.

At a meeting of the citizens of Philadelphia and adjoining districts, held at the Mayor's Court Room, on the 25th of February, 1833, to receive the report of the Committee of Superintendence of the funds of the Cape de Verd Island Charity, and to hear a communication from Thomas Hayes, Esq. commander of the brig Emma—

On motion of Josiah Randall, Esq. John Swift, Mayor of the city of Philadelphia, was called to the chair, and James J. Barclay, appointed Secretary.

The following report of the committee of superintendence was submitted by Nicholas Biddle, Esq. and adopted by the meeting.

The committee appointed by the meeting of citizens of the city and county of Philadelphia, held on the 18th of October, to devise means to afford relief to the suffering inhabitants of the Cape de Verd Islands, having completed the object for which they were appointed, beg leave to report:

That having received funds from the city and from the adjoining districts, they were enabled to despatch the brig Emma, Capt. Hayes, from this city, with a cargo consisting of the following articles of provisions, viz:

3,592 bushels of corn	272 bbls. corn meal
302 bbls. navy bread	58 do. beans
246 do. potatoes	104 do. mackerel
15 do. peas	4½ bbls. do.
2 do. beef	2½ bbls. do.
2 do. pork	25 bbls. herring
1 half bbl. pork	1 do. dried bread
10 bbls. middlings	31 do. flour
1500 gunny bags	20½ bbls. do.

of the value of \$5,983 51, to which must be added freight and primage, \$1,356 85, paid here, making a total of \$7,340 36.

This vessel sailed on the 19th November last, her commander being instructed to call at the island of St. Antonio, and then to take the other islands in regular course, and to distribute the supplies to those most in want, and to take the counsel and advice of the civil authorities and the most respectable inhabitants of the respective islands. Nothing has since been heard of this vessel, there not being sufficient time elapsed to allow of information from the islands.

There being a surplus of funds after the departure of the first expedition, and the information from the Cape de Verds continuing to represent the distress of the inhabitants to be of the most appalling nature, the committee were induced to renew their efforts to procure the means of a second cargo, and which, with the liberal aid from Wilmington, Delaware; Trenton, Burlington, and Cold Spring, New Jersey; and from the following cities and towns within our own state, viz: Reading, Frankford, Wilkesbarre, Kingston, Plymouth, Mifflintown, Lewistown, Chester, Norristown, Bedford, Easton, Piqua, Lancaster, Harrisburg, Greensburg, Pittsburg, East Whiteland, and Coudersport, they were enabled to accomplish, and on the 26th December they despatched another vessel, the brig Forrest, Capt. Trathen, with the following articles, viz:—345 bbls. Indian meal, 345 bbls. bread, 200 bbls. corn, and 110 bbls. potatoes, of the value of \$2,611 60. Subsequently, a sum of \$106 37 was received from W. B. Reynolds, Esq. Boston, as a surplus fund of the committee in that city, which, with sundry small additions received from other sources, enabled the committee to remit \$300 to New York, and which was invested in a cargo that was loading there for the same object.

Captain Trathen was furnished with similar instructions as were given to Capt. Hayes, and there is every reason to suppose that these gentlemen, who are both persons of highly respectable characters, will accomplish the objects of their missions in such a manner as to justify the confidence reposed in them by the committee, and to the satisfaction of the benevolent donors of the funds.

The total amount collected is	\$10,572 03
The total amount expended is	\$10,362 40

Leaving in the treasury a balance of	\$209 63
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and which was received in sundry sums after the surplus fund was forwarded to New York.

The committee in concluding their report, cannot refrain from expressing a hope, that the blessings of those ready to perish from want, will be considered by the liberal donors a sufficient compensation for their praiseworthy efforts in this cause of humanity.

The committee acknowledge with gratitude the receipt of money and provisions from the following sources.

JOHN SWIFT, Chairman.

Philadelphia, 20th Feb. 1833.

STATEMENT OF RECEIPTS.

CITY OF PHILADELPHIA.

Upper Delaware Ward	- - -	\$167 93
Lower do.	do. - -	574 44
High-street	do. - -	528 87
Chestnut	do. - -	535 12
Walnut	do. - -	405 50
Dock	do. - -	293 50
North Mulberry	do. - -	126 43
South do.	do. - -	587 80
North	do. - -	503 75
Middle	do. - -	137 50
South	do. - -	268 68
Locust	do. - -	523 50
New Market	do. - -	181 25
Cedar	do. - -	124 00
Pine	do. - -	274 61
		<hr/> \$5,232 93

NORTHERN LIBERTIES.

First Ward	- - -	\$ 98 58
Second do.	- - -	115 75
Third do.	- - -	31 50
Fourth do.	- - -	99 50
Fifth do.	- - -	135 77
Sixth do.	- - -	31 50
Seventh do.	- - -	6 25
		<hr/> \$518 85
East Kensington,	- - -	61 62
Southwark,	- - -	35 50
Moyamensing,	- - -	16 00
Penn Township and Spring Garden,	- - -	216 25
Roxborough,	- - -	9 00
Reading,	- - -	266 67
Frankford,	- - -	100 00
Wilkesbarre,	- - -	164 13
Kingston and Plymouth,	- - -	27 87
Mifflintown,	- - -	57 00
Norristown,	- - -	8 00
Lewistown,	- - -	25 00
Bedford,	- - -	15 00
Easton,	- - -	222 75
Cold Spring, Cape May, (N. J.)	- - -	30 00
Burlington, (N. J.)	- - -	65 00
Lancaster city, (Penn.)	- - -	330 00
Piqua, Lancaster county,	- - -	60 00
Greensburg,	- - -	10 00
Pittsburg,	- - -	250 00
East Whiteland Township,	- - -	50 00
Smethport,	- - -	10 00
Coudersport,	- - -	500

CHURCHES.

Episcopal Church of St. John, N. L.	\$ 44 12
First Independent Church, Broad- street,	132 92
German Reformed Church, N. L.	65 91
Sixth Presbyterian Church,	65 10
First do. do.	79 12
Second do. do.	80 56
Fifth do. do.	57 56
Eighth do. do.	25 67
Ninth do. do.	20 00
Eleventh do. do.	41 40
First do. do. Ken'gton,	37 45
First do. do. P. T'nship,	25 48
Holy Trinity German Catholic Ch.	37 62
Methodist Episcopal Church, Ken- sington,	25 78
Swedes' Church, Southwark,	8 51
St. Thomas's African Church,	23 26
Methodist Congregation Sunday School of Germantown,	43 00
First Colored Wesley Methodist,	13 00
First Universalist Church,	15 45
German Lutheran Church, Frank- ford,	7 67
Methodist Church, Kensington,	36 99
German Lutheran Church,	86 00
St. Paul's Church,	86 84
Presbyterian Church, Frankford,	40 25
German Lutheran Congregation of St. Michaels,	32 82
German do. do. at Whitemarsh,	15 00
German do. do. at Barren Hill,	9 00
German do. do. at Nicetown,	2 17
Presbyterian Church, Trenton,	53 00
First Presbyterian Church, N. L.	19 50
St. Paul's Church,	39 33
Methodist Church,	11 71
First Baptist Church,	60 02
Union Bethel Church, Harrisburg,	5 00
First Reformed Presbyterian Ch.	58 16
Associate congregation,	31 00
Second Baptist Church, Southwark,	25 00
Second Presbyterian Church, do.	7 50
Five Churches at and near Harris- burg,	128 76
Asbury Methodist Episcopal Church of West Philadelphia,	20 38
	\$1,618 01
Boston Surplus Funds,	106 37
Part proceeds of Young Misses' Fair,	51 00
Sundries through Rev. T. G. Allen,	8 00
A number of small sums, composing — items, were received from individuals by different members of the Committee of Superin- tendence, which, for the sake of brevity, the committee do not particularize, amounting to	245 00
Donations in produce were received from thirty-five different sources, embracing potatoes, pork, ship bread, dried bread, beans, beef, mackerel, middlings, corn meal, and flour, on which a value was placed in the aggregate of	757 08
But for the reason mentioned in the preceding paragraph, are not enumerated,	

\$10,572 03

JOHN SWIFT, Chairman.

Philadelphia, Feb. 20, 1833.

ISLE OF MAYO, CAPE DE VERDES, ?
January 2d, 1833. }

To Robert Ralston, Esq. and others, committee.

GENTLEMEN:

In accordance with your request, and agreeably to my own feelings, I avail myself of the first leisure moment since my arrival among these islands, to inform you of my proceedings, &c. in regard to the disposal of the charitable trust reposed in me by the citizens of Philadelphia and its vicinity. Our passage to the island of St. Antonio, the first at which we touched, was short, though very rough and boisterous, having performed it in 26 days.

On approaching the land we were boarded by a whale boat, with six men, one of whom was a pilot—he informed us that he had orders from the owner of the boat to board any vessel that might pass in sight of the island, and inform of the distressed situation of its inhabitants. His accounts surpassed any thing we had dreamed of, but I was then induced to believe that they were much exaggerated; we shortly arrived at the N. E. point of the island, where the Custom House is located, and the only place of anchorage on this side of the island. The appearance of the place at which the pilot proposed anchoring was sufficient to alarm, there being no protection from either the wind or sea, and 18 fathoms water close to the rocks. Not satisfied with the pilot's assurance of its safety, I determined to go on shore for further information. On landing, I was met by the collector of the customs, Mr. J. C. Ferreira, and was shortly surrounded by some 40 or 50 poor miserable creatures, who were reduced to mere skeletons. The accounts given me by Mr. F. fully corroborated those of the pilot; indeed, the appearance of those poor fellows who met us on landing was sufficient evidence (as far as regarded themselves) of their starving condition, though the collector informed, that it was nothing in comparison with what we might expect to see. Famine, and all its dreadful consequences, had spread over the island; of a population of 26,000 souls, 9,000 had died of absolute starvation.

Some of the scenes which Mr. F. related to me as having passed under his own observation, were dreadful, and could hardly be credited, but by those who could in some measure witness them. Instances had been known of the living even devouring the remains of those who had died before them. On my informing him of the object of my visit, he could scarcely credit it, and assured me that it would save the lives of at least four thousand people, who were then in a state of starvation; he also confirmed my own opinion of the danger to be apprehended from anchoring, and advised my keeping under way until morning. The most unpleasant part of my visit now remained for me to witness. The poor creatures who had met me on landing having followed us to the Custom House, and overheard our conversation, returned with me to the boat, and it was with the greatest difficulty I could prevent them from immediately filling it, notwithstanding my assurance of sending something at once to relieve their pressing wants. One poor fellow in particular, after having been driven out of the boat several times, when he found that she had pushed off, and was absolutely beyond his reach, burst into tears, and continued making motions with his hands, indicative of his wants. On reaching the brig, I immediately despatched a boat with some bread for their relief.

On the following morning we anchored close to the shore in 18 fathoms water, and immediately commenced discharging; in the course of the day discharged 500 bags of corn; 153 barrels of navy bread; 16 barrels of flour; 27 do. corn meal; 41 do. potatoes; 4 do. beans; 1½ do. pork—this was attended with the greatest danger, the brig rolling gunwales too, nearly all the time. Mr. F. was of the opinion that this quantity was sufficient with economy, to support the most distressed, for

at least two months, in which time they hoped to have it in their power to raise something, as there had been frequent rains within the last two months, and the earth had began to yield its fruits. This supply came to them most providentially, as the poor creatures had of late, wherever they could find any thing growing, appropriated it to their own use, and then before it had arrived at maturity, every thing eatable was considered by them as common stock; robberies in this way were an every day occurrence, indeed the old saying that "necessity knows no law," was fully verified here. I regretted sincerely that it was not in my power to have supplied them more amply, but the wind changing in the evening, and the sea increasing, obliged me to get the brig under way and send her off shore. These provisions I left in the hands of Mr. Ferreira the collector—Mr. Oliveira his deputy—the Chief Justice—the Pastor of the district, and the Governor of the Island—with particular instructions as to their distribution to the most needy. At the pressing solicitation of these gentlemen I remained on shore, so as to have it in my power to visit the principal town, distant about six miles—we set off about 6 P. M. and arrived at the town about 7, after passing over a most dangerous road; here we were entertained in the most hospitable manner by Mr. F. and his family. While at supper and during the whole evening, our ears were assailed by the distressing cries of the poor creatures begging in God's name for something to eat; this Mr. F. assured us was to him no new thing, and that he frequently got up from his frugally supplied table, and allowed the provisions such as they were, to be distributed among them. The news of our arrival, and the object of our visit spread rapidly through the town, and surrounding country—so that on our return to the point, we overtook hundreds of these poor people travelling there to receive the rations which we intended distributing on our arrival. Some too weak to withstand the fatigue of the journey, were laying down by the side of the road, and begged of us as we passed not to appropriate the whole, as they would soon be able to reach the point. On our arrival we found about 1000 persons already mustered; and at 12 o'clock, we commenced distributing to them, and in a few hours had given food to over a thousand poor persons—fearful of their making an improper use if we gave them too much at once, we were sparing in this distribution, limiting it to a small measure of corn, (about a quart,) and three biscuit—any attempt of mine to depict the appearance and distress, would fall far short of the reality; grains of corn and small pieces of bread which were dropped by accident in this distribution were picked up with avidity; not a grain of corn or crumb of bread was lost; after witnessing this painfully interesting scene we repaired on board, taking with us the prayers and blessings of them all.

We now directed our course towards the island of Bona Vista, the central and windward-most of this groupe, where we arrived in 40 hours—here the distress at no time had been so pressing as at the island before mentioned, owing to the frequent intercourse with foreign vessels. The civil governor, Mr. Martinez, was residing at this island; this circumstance, together with the fact of its offering greater facilities for the proper distribution of part of the cargo left, to the end intended by the generous contributors, induced me to remain and discharge. A few days after my arrival, a small schooner arrived from the island of St. Nicolas, with most distressing accounts, and in search of provisions; we immediately loaded her, and had the pleasure of seeing her leaving the port the next morning with a fair wind. The provisions left at Bona Vista are in charge of Mr. Martinez, the governor already mentioned, jointly with Mr. Sursa, the American Vice Consul, both gentlemen of known benevolence and respectability, with a copy of the instructions I received from you, as to their proper distribution, which I have no doubt will be fully complied with. At the island from which I have

now the pleasure to address you, they have not been much afflicted, but several of the inhabitants of the islands of Brava and Fogo having come here, induced me to bring a small portion of my cargo, which I have placed in the hands of a committee for proper distribution. The island of St. Jago has been amply provided for by brig Susan, from New York, from which island the others in its immediate vicinity will no doubt be supplied.

I have been much more lengthy in this communication than I had originally intended. Hoping that the manner I have performed the trust reposed in me by my fellow citizens, will prove satisfactory to all those who in any way contributed,

I remain, with esteem

Your ob't serv't,

THOS. HAYES.

I forward by this conveyance, a letter from the chief judge of the island of St. Antonio, as also a statement in the Portuguese language, of the distress of that island, all of which I hope will come safely to hand.

To the illustrious Citizens of Philadelphia and its vicinity.

The President and Senate of the Island of St. Antonio, in behalf of the inhabitants, acknowledges with heartfelt gratitude, the receipt of the provisions that you have been pleased to send to alleviate the sufferings of the people he represents, who were much distressed for the want of them.

The famine, which still continues, having carried off more than 15,000 souls. May God preserve our benefactors.

I remain with the greatest respect,

and in behalf of the people,

MANOEL ANTONIO GONZALES.

Island of St. Antonio, Oct. 18, 1832.

A statement of the sufferings of the inhabitants of St. Antonio, one of the Cape de Verd Islands, by the ravages of famine.

The fatal germ of famine first began to bud in the month of March, 1831, and by a steady gradation attained so frightful a growth as to destroy by an approximate calculation, near 15,000 victims! The scarcity of fruits, owing to the want of water at those places, where the ground in the months of April, May, and June, must be watered, and the like want of rain in July and August, plainly foretold the future fate of the island. It seemed as if the four elements had combined in a league the better to effect the complete annihilation of the ill-fated inhabitants. Rain which was wont to be plentiful in the months of August and September, was eagerly, but in vain looked for. The seeds and plants which the husbandman with so much toil and care, had committed to the ground, produced disappointment and despair. The intense heat of the sun in October scorched, burnt, and utterly destroyed all sorts of fruitful vegetation.

Here began the work of famine! Its ravages spread into every corner of the island—individual property was no longer respected, and men, as famished lions, laid the country waste; whatever plants or seeds had escaped the combined rage of the elements, at once disappeared before them. The want of labourers, seeds, water, and naval resources, served to sharpen the instrument of death. Calamities were increased in proportion to the wants of the people, and things arrived at such extremes that not even places fit to bury the dead could be had, and hardly sufficient assistance in this work of charity, so much so that burning was resorted to, and (hard to say) part of those half burnt victims were eaten by their starving fellow creatures! The plague was hourly expected by the surviving, owing to the corruption of the dead. A man was however found

who, having till then led a licentious life, became an example of Christian charity, and attended to the disposal of the dead. Famine and death continued with double vigour in the following year, owing to the causes already stated.

This is a faithful statement of the condition of the Island of St. Antonio, on the 18th December 1832.

Signed
JULIO CANDIDO FENA,
JOAQUINA JOZE OLIVEIRA.

J. R. Ingersoll addressed the meeting in an impressive manner; made an eloquent appeal in behalf of the suffering inhabitants of the Cape de Verd Islands, and offered the following resolutions, which were seconded and ably advocated by Josiah Randall, and unanimously adopted by the meeting.

The wants of the suffering inhabitants of the Cape de Verd Islands, as it has been communicated to this meeting, appearing to continue by a new calamity, of an overwhelming flood, and believing that the sympathies of the citizens of Philadelphia, and the adjoining districts, are still so much alive to distresses so unparalleled, it is

Resolved, That a new effort be made to raise funds by ward and district committees, and by any other means which can be devised, for the purpose of despatching, as early as possible, a further supply of provisions.

Resolved, That the committee of superintendence, and the ward and district committees appointed at a former town meeting, be requested to continue their services, in the furtherance of this all important object.

On motion, Resolved, That the proceedings of this meeting be published.

On motion of Mr. Biddle, Resolved, That the thanks of this meeting be presented to Capt. Hayes, for the able and judicious manner in which he has discharged the trust confided to him.

On motion, Resolved, That the chairman and secretary be authorized to convene this meeting when they shall deem it expedient.

On motion, the meeting then adjourned.

JOHN SWIFT, Chairman.
JAMES J. BARCLAY, Secretary.

SKETCH OF MR. INGERSOLL'S ADDRESS.

I beg leave to offer a resolution on the subject of the report which has just been read, and I sincerely wish that greater numbers were here present to second it with their voices, their hearts, and their hands. Charity is always amiable. It is generally praise-worthy, even in its most liberal indulgence. Yet it sometimes pauses in the exercise of its kind and generous propensities, because it doubts the claims of the objects which are presented to it, and entertains a reasonable fear, lest its favours may be injudiciously bestowed. Such was the feeling which prompted, while it restrained the former impulse in favor of the sufferers, whose continued distresses have brought us again together—which opened the hand at the tale of sorrow, and yet forbade the free dispensation to which it was disposed. There was on that, as there is on every such occasion, wisdom in a well regulated beneficence. Indiscriminate and incautious charity may even cease to be a virtue. It may not only misapply its lavish profusion upon the undeserving, but may diminish or absorb the abundant streams, which, if directed through their proper channels, would gladden the heart and relieve the distresses of the unfortunate, and soothe the sorrows even of the destined victims of calamity. With the kindness which formerly relieved in part, the sufferings of the afflicted, was mingled a natural desire to ascertain whether the sad story of their woes was well founded. At the same time that the heart yielded to its laudable impulses in favor of benevolence, it provided means to investigate

the truth, and dispel the comparative uncertainty that accompanied the relation.

It is now too fatally proved that the kindness of this community has not been unwisely or unprofitably indulged. The bounty which it cheerfully gave, has reached its destination, and has, to a certain extent, performed its generous office. It has found real and unexaggerated suffering—it has administered paternal relief, and has excited the throb of gratitude in many a bosom. Every report has been more than realized. Want and wretchedness have been witnessed, and are no longer to be made the subject of a doubt. They have continued to lay waste the land. Changing, in some degree, the nature of their attacks, their fury and fierceness has not been sensibly abated. Excessive droughts have yielded only to excessive floods. Famine still retains its mastery. Death has dealt fast his blows, and thousands and ten thousands have fallen beneath his stroke. The wretched survivors see no relief from suffering—no escape from the fate of their departed and unburied companions, except in the kindness and sympathy of their brethren of distant realms.

My fellow citizens! the appeal is made to you. It needs only a comparison between the condition of these unhappy Islanders, and our own, to prevent the appeal from being made in vain. This globe which we inhabit—this vast circumference of human habitation, exhibits every variety of residence and subsistence, from the fertile and self-producing plain, which yields its spontaneous fruits, like those of Eden, to the barren shore or inhospitable mountain, which denies to the sturdiest industry, the return even of grain for grain. Yet man is the instrument and not the disposer of his destiny. He has been thrown by an inscrutable providence upon the fertile field, or the bare or barren rock, and he must there abide his good or evil fortune—his smiling or his frowning fate. This inequality of condition gives to some a right to ask assistance, and places upon others a corresponding obligation to bestow it. It creates a debt to which nature herself has set her seal.

This is the debt, which we, my fellow citizens are now called upon to pay—a debt which all redundant blessing owes to those to whom direct blessings are denied. These poor Islanders have their lot cast on rocky shores, where the earth yields little to the utmost labor, and that little is precarious and uncertain in its character. We cultivate a soil rich and prolific in all that is necessary for the subsistence and comfort of mankind. They suffer under a sickly sky, and breathe an unwholesome air. We inhale an atmosphere vital with vigorous health, and bask in beams, than which the sun sheds none brighter. They groan under a government at the least arbitrary and despotic, and now rendered impotent by the chaos of anarchy and civil war. We walk abroad under the protection of laws which impose no restraints upon the virtuous, and secure to us enjoyments which nothing human can take away.

A small portion of these blessings dispensed to our suffering brethren, will not affect our abundant stores, and yet will cheer their sinking hearts, animate their decaying hopes, and give life to their almost despairing exertions. It may, under divine providence, dispel the clouds of adverse fortune, and usher in a brighter and a better day. It will, we may fairly hope, enable them to gather together supplies which will serve them until the dark hour of adversity has passed, and their accustomed seasons shall return.

On Thursday night, there was a fall of snow to the depth of about six inches on a level; as there was a high wind at the time, it drifted a good deal.

The Moyamensing Bank was opened for business on Monday last.

HAZARD'S REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

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REPORT

Of the Committee on Education, to whom was referred so much of the Governor's Message as relates to the improvement of the moral and intellectual condition of the citizens of the Commonwealth. Mr. Clarkson, chairman. Read in the House of Representatives, Feb. 15, 1833.

The Committee on Education, to whom was referred so much of the governor's message as relates to the improvement of the moral and intellectual condition of the citizens of the commonwealth, REPORT:

That they accord with the sentiments expressed in that portion of the message referred to them, viz: that the dissemination of knowledge is necessary to the stability of our republican institutions, and that the present pauper system of Pennsylvania is odious. They will briefly submit their reasons, and they hope to see their justness acknowledged by some immediate and efficient act, proclaiming to the people the importance of the truths announced in the message. The constitution directs that "the legislature shall, as soon as conveniently may be, provide by law for the establishment of schools throughout the state, in such manner that the poor may be taught gratis." In this article, your committee recognise a benevolence worthy of the authors of that excellent instrument; but when they see the miserable results of the legislation it has produced, they are tempted to question its wisdom.

Your committee are very sensible of the invidious comparisons that are frequently made, for political purposes, between the rich and the poor, by thoughtless or designing men, whose object is to excite odium against the former, without even conferring a benefit on the latter. They are too sensible of the indignation which such conduct ought to excite in every well regulated mind, to incur the suspicion of belonging to such a class. They know too well that the most wealthy of their fellow citizens are men who, for the most part, have risen to fortune from humble origins by the unassisted efforts of their industry and enterprise, and that their success affords the strongest testimony in favor of free institutions. It would, indeed, be a lamentable result, if the successful application of that industry and enterprise, which it is the object of free institutions to encourage, produced a feeling inimical to those institutions. The distinction of rich and poor, however, exists in obedience of an inevitable law of civilized society; but there is no case in which the distinction should be acknowledged by a wise republican legislature, except when its humanity interposes to afford the necessities of life to those whom disease or misfortune has deprived of the means of sustaining nature.

Entertaining these sentiments, your committee are obliged to say, that the article of the constitution referred to, and the course of legislation pursued under it, have produced effects impolitic and injurious, if not anti-republican. Republican institutions that are founded on a just equality of rights, will create in the citizen a correct self-esteem, a manly spirit, a proper sense of justice, and necessarily a hatred of oppression.

Your committee think that effects very different from these are produced by a system which distinguishes the poor from the rich, and which, whilst it professes to

confer a benefit, inflicts a stigma. It selects the susceptible period of youth, and by infusing a sense of inferiority, represses the growth of those manly and generous feelings which cannot be too early and carefully cultivated in those to whom, by the constitution of the republic, her highest offices are accessible.

Moreover, it is notorious that many parents are restrained, by an honest pride and a dread of the reproach, from accepting the offered benefit.

Another evil has been produced by a too literal obedience of the constitution. It is thought by many, that if a pauper system is maintained at the public expense, all that is enjoined or allowed by that instrument is performed; and hence the lamentable heresy into which some have fallen, that a general system of education, by common schools, is the unconstitutional application of one citizen's property for the benefit of another. Your committee are convinced, that no power in this commonwealth has a right to take the property of a citizen unless for the benefit of the public, and that our institutions will be worthless when the right of property cannot be maintained; but they believe that every tax is necessary whose object is to preserve those institutions, and such they consider a system of education by common schools. The committee deny that any citizen has a right to claim the education of his child at the public expense, but they assert that it is the duty of the people to furnish that education for the preservation of free institutions. It was an observation of our founder, William Penn, who deservedly ranks with the most distinguished legislators, "that which makes a good constitution must keep it, viz: men of wisdom and virtue, qualities that, because they descend not with worldly inheritance, must be carefully propagated by a virtuous education of youth."

That the people are the source of all power, that the constitution and laws, and all the interests which exist under them, depend on their will, and that the public servants are selected for their benefit and are responsible to them, are the familiar principles of our institutions. The permanent continuance of these depends entirely on the intelligence of the people. They are sincerely attached to free institutions; they mean to do right, and they will scarcely sanction measures whose object or tendency is to destroy or impair those free institutions under which they have been, for half a century, the most prosperous people that ever existed, unless they are ignorantly led into danger by men unworthy of their confidence.

Your committee hesitate not to say, that our popular institutions cannot last, unless the great mass of the people are instructed in the principles of our free institutions, and are enabled to obtain that information by which they may for themselves impartially judge their public servants, knowing what is required of them.

The passing events of the present day have impaired the confidence of many staunch republicans in popular institutions. They have seen a whole state not only throw off its allegiance to the Union, but enact a system of laws designed to oppress nearly one half of the whole people of the state, and which, in their design, are as tyrannical as any that have been inflicted on this country by Great Britain, or as any that have been known in England since the days of Charles the First:

They have enacted a penal law which takes away the impartial trial by jury, or rather converts a trial into a mockery, and have thus satisfied the world that liberty and property, and the rights of man, may be trampled on by those who profess to be republicans. To what cause are to be attributed these sad events, which have inflicted so much grief and created so much alarm for free institutions? To the ignorance of the great mass of the people, which has made them apt instruments in the hands of ambitious men.

Your committee recur to these painful events, not because they derive any pleasure from their contemplation, but because they furnish wholesome truths that will convince every man how important education is, and how strong an obligation rests on the friends of free institutions, to train the youth of the country in such a manner that they may learn their *duties* as members of society, as well as their rights.

The insecurity of liberty and property in South Carolina, may satisfy the economist who estimates all political questions in dollars and cents, that education, to enlighten the people and maintain the laws, is a cheaper commodity than no education and nullification.

Your committee will proceed to submit the result of their inquiries. In order to settle some rational plan for the people of this commonwealth, they have examined with some attention the systems of other states, especially those of Connecticut, Massachusetts, and New York.

The means of paying the teachers of the public schools, are drawn from a fund, in Connecticut, which now amounts to about \$2,000,000. In Massachusetts they are derived from taxation, and in New York from a fund and taxation combined. There is no doubt that the plan adopted by New York is the wisest, and has produced the most satisfactory result. It is generally admitted, that her immense fund has been an injury to Connecticut, rather than a benefit.

There is no difficulty in discovering the cause. When the means are derived from a fund, which has not been directly taken from the pockets of the people, they do not feel that interest in its proper application which a direct and annual tax excites—hence the danger that they will become negligent or indifferent respecting a proper application. When the means are derived from taxation alone, it is to be feared that the people will not consent to contribute as freely as the success of a liberal system may require. In New York, however, they have devised a scheme that avoids the objections urged against the others. Like Connecticut, she possesses a large school fund, the revenue arising from which is distributed amongst the several towns, on the condition that each shall raise by taxation a sum equal to that which it receives out of the state treasury. Here is an adequate incentive; and we shall presently see what have been its effects. The bounty of the state induces the people to tax themselves; and that done, they are as wary respecting the application of the state fund, as their own. The first appropriation of the revenue of the school fund was made in 1816, and your committee beg leave to refer to the report of the present year, of the secretary of that commonwealth, who is the superintendent of the public schools, to show what has been the progress of education since then.—They have also annexed a table taken from the same report, which exhibits at a glance and in figures, results that cannot fail to awaken public attention at home.

From the New York Report:

1. *As to the condition of the Common Schools.*

There are fifty-five organized counties, and eight hundred and eleven towns and wards in the state. Returns have been received from the clerks of all the counties, containing copies of the reports of the commissioners of common schools from every town and ward in the state. Abstracts of the reports from the several towns and counties are appended to this report, and marked A and B.

It will be seen by these abstracts, that there are 9,600 organized school districts in the state, and that 8,941 of these districts have made their annual reports.

The trustees are required to furnish a census of the children over five and under sixteen years of age, who reside in their respective districts on the last day of December of each year; and also the number of children taught in each district school during the year ending on that day. It will be seen by abstract B, that in the districts from which reports have been received, there were, on the last day of December, 1831, five hundred and eight thousand eight hundred and seventy-eight children, over five and under sixteen years of age; and that four hundred and ninety-four thousand nine hundred and fifty-nine scholars were taught in the same districts during the year; and that eight thousand nine hundred and forty-one district schools have been kept open for the reception of pupils, an average period of eight out of twelve months.

There are six counties in the state, viz: Cayuga, Genesee, Jefferson, Oneida, Onondaga, and Otsego, in each of which more than fifteen thousand scholars are annually instructed. And there are twenty-four counties, including those before enumerated, in each of which more than ten thousand are returned as having been taught in the district schools, during the year ending on the last of October, 1831.

There are twenty-two counties, in each of which more than 200 district schools are organized; several of these have 250 schools in operation, and Otsego has 313, Genesee 328, and Oneida 350 organized school districts. The latter county has a population of seventy-one thousand souls, and reports more than twenty thousand children over five and under sixteen years of age.

There are one hundred and twelve towns, in each of which more than one thousand children are annually instructed; several towns report more than fifteen hundred, and a few large towns have more than two thousand scholars on the rolls of the public schools.

There are eighty-one towns, in which twenty or more school districts are organized in each; several of these have more than twenty-five, and a few towns report more than thirty districts organized according to law.

The average number of districts organized, including all the towns of the state (773) is nearly 124 for each town. The average number of scholars instructed in the districts from which returns have been received, (8,941) is a fraction more than 55 scholars for each school. All the estimates in this report relating to the number of children taught, have reference to the whole number of scholars on the rolls of the district schools for the year; and it is not to be understood that each individual of the 494,959 scholars reported as having been taught, has had eight months of instruction during the year; but that this is the aggregate number of scholars on the rolls of the schools, receiving more or less instruction, and that eight thousand nine hundred and forty-one schools have been kept open for the reception of pupils an average period of eight out of the twelve months.

In 1816, the number of organized districts was 2,755, and the children returned as taught in the common schools was 140,106. The increase in sixteen years, of the districts which have adopted the school system, has been 6,845, and the increase in the number of children taught in the same time, 354,853. The paper marked C, is a comparative view of the annual returns, and shows the progress of the common school system from 1816 to the present time.

2. *Estimates and Expenditures of the School Moneys.*

The reports from the commissioners of the several towns, show that the school moneys received by them and paid to the trustees of the several districts, in April, 1832, on the district reports of the previous January, amount to \$305,582 78 cents. Of this sum, \$100,000 was paid from the state treasury, \$188,384 53 cents

was raised by a tax upon the property of the inhabitants of the several towns and cities in the state, and \$17,198 25 cents was derived from local funds possessed by some of the towns.

The amount paid for teachers' wages in the several districts of the state, over and above the public money apportioned by the commissioners, as may be seen by abstract B, is \$353,320 17 cents. This sum, added to the public money, gives a total of \$663,902 95 cents paid for teachers' wages; except about 60,000 in the city of New York, which is raised by a special tax, and applied to the erection of school houses.

The productive capital of the school fund has been increased during the year ending 30th September, 1832, \$31,015 88 cents, from the sale of school fund lands and other sources. Included in this increase, is a sum of about sixteen thousand dollars, for the sale of a part of the arsenal lot in the city of Albany.

The productive capital of the fund now amounts to \$1,735,175 28 cents. The revenue actually received on account of this fund for the year ending Sept. 30, is \$93,755 31 cents.

[Here follows a table, which we have already inserted on p. 51 of the present volume.]

Such a scheme for the education of youth, so magnificent in its design and so adequate in its conduct, deserves the early attention of Pennsylvania. It is not the intention of the committee to enumerate the details of the New York system; it would require a large volume. They beg leave, however, to refer to her revised statutes respecting common schools, and to the various reports which have been, from time to time, made to her legislature on this interesting topic. In these may be found valuable information, and they may be usefully consulted by those who desire to see so excellent an example imitated. Your committee cannot turn from the gratifying spectacle they have been contemplating, to their native state, without a sense of shame. Her wealth, and attachment to those institutions which depend on the virtue and knowledge of the people, ought long since to have opened to her citizens the same sources of moral and intellectual improvement, which have been so wisely and usefully developed in New York.

It is to be hoped that the example will be continually held before her eyes, until she is persuaded to imitate it.

The only system of general education at the public expense, established in Pennsylvania, is what your committee has and will continue to call the pauper system. They value education, however limited or however humiliating the terms on which it may be obtained, too highly to assert that no benefits have been conferred by this system. Unquestionably, many children, who otherwise might have been wholly without the benefits of a school, have derived, through its assistance, the rudiments of an English education. But they believe these humiliating terms have often been accepted by the parent with bitterness, for the sake of his child; and with that belief, they cannot too often protest against its anti-republican tendency, and urge the attention of the people to its true character and degrading effects.

It is true that the state has frequently and liberally contributed in aid of academies and colleges for the higher branches of learning, but it is lamentable to think that many of those institutions are either dead or expiring, for the want of that sustenance which can only be afforded by a population whose ambition to attain the higher walks of learning, has been excited by an early conviction of the value of knowledge.

Within the last forty-five years, about 70,000 acres of land, and nearly \$300,000, have been granted to various academies and colleges; a fund which, if properly applied, would have conferred the blessings of education on a very large portion of the community. Your committee are convinced by their investigations, that these applications for aid have often been listened

to without sufficient reflection, and that the usual consequence has followed—a waste of the public money.

During the present session, there has been referred to them a petition from Allegheny college, in Crawford county, asking for relief, which states that a charter was obtained in 1817, and a college established at Meadville. There is at this time a college edifice, a valuable library, and philosophical apparatus, all of which have cost about \$30,000, a considerable part contributed by the state, *but neither professor or student*; and they now require an additional aid of \$3,000 to save their property from legal process. Your committee have felt it their duty, whilst engaged on the general subject, to point out those errors that they think worthy of notice. They do not wish it to be understood that they are opposed to granting aid to such institutions; on the contrary, they think their encouragement of great importance to the cause of sound learning. They would only recommend a careful examination of claimants, and require from them something like an efficient appropriation of the public funds.

Independent of the public, much has been done by the benevolence of individuals in the support afforded to Sunday, Infant, and other schools; but these, however deserving of public notice and commendation, are wholly inadequate to the wants of the people and the duties of the government.

It is difficult to ascertain, with accuracy, the effects produced by the indifference heretofore exhibited by a large portion of our fellow citizens on this interesting subject, or to decide with certainty what portion of the children of this commonwealth are without the opportunities of acquiring the mere rudiments of the most common education. Some years ago, the Pennsylvania Society for the Promotion of Public Schools, addressed a circular to intelligent gentlemen in different parts of the state, with a view to obtain information. One subject of inquiry, was the number of children educated throughout the commonwealth, and the result of their inquiry is expressed in the following sentence: that "out of four hundred thousand children in this state between the ages of five and fifteen, more than two hundred and fifty thousand capable of receiving instruction, were not within a school during the last year." Such a statement is sufficient to excite alarm, and demands from the Legislature of this commonwealth some effort to disprove the statement, or remedy the dreadful evil it discloses. Within the three years that have elapsed since this intelligence was communicated, little has been done; and if it was then true (and your committee doubt not that it was,) it is no more than true to-day.

The act of April, 1831, has laid the foundation of a school fund, and has pledged the faith of the state to appropriate its revenue when it shall amount to \$100,000 per annum. By this act, the Secretary of the Commonwealth, the Auditor General, and Secretary of the Land Office, are created commissioners of the common school fund, with power to receive and manage such gifts, grants and donations, as may be made to it by private individuals. The act also sets apart all monies due to the commonwealth by the holders of unpateented lands, or secured to her by mortgage or lien on land for the purchase money of the same; also all monies paid to the State Treasurer on any application hereafter entered, or any warrant hereafter issued, or any patent hereafter granted for land; also all fees received in the Land Office, as well as all monies received under the act of March, 1831, to increase the county rates and levies for the use of the commonwealth. The act provides that these monies shall be held by the commonwealth for the use of the common school fund, at the rate of five per cent. per annum; the interest as it becomes due, is to be added to the principal, and the whole is to accumulate until it amounts to \$100,000 per annum, when it is to be distributed for the support

of common schools. The amount of this fund, on the 15th January last, was \$237,177 16.

Your committee report herewith, a bill to provide for the establishment of a system of general education by common schools. They do not recommend it as perfect—no doubt it is very defective. It is no easy task to frame a scheme which can recommend itself, where so much apathy has been so long displayed. They however venture to ask for it a careful examination—some beginning must be made, if we expect to maintain our proper rank in the scale of the states.

They will briefly state the outline of their plan:

1. The city of Philadelphia, and each county in the state, is to be a school division, and it depends on the electors of each to accept or reject the act. The wards and election districts are to be school districts. If the city, or any county, rejects the bill at the first general election, the question on its acceptance is to be repeated at the second, and so on until it is accepted.

2. School commissioners are to be elected by the people for each school district, one-third of which are to serve one year, one-third two years, and the remaining third three years. Their duties will be to fix on the number of Schools, admit scholars, appoint teachers, and have the general superintendence over their respective districts.

3. The school tax to be assessed on each school division by a joint meeting, composed of the county commissioners, and a delegate from each board of school commissioners in the division. It is to be produced by an additional poll tax not exceeding two dollars; and if that is insufficient, by an increase on the taxable property in the county.

4. The school inspectors are to be citizens of good education, appointed by the courts to visit the schools, and make a report to the Secretary of the Commonwealth, who is made the superintendent of the public schools; their report is also to be published in the newspaper of the school division. These inspectors have no power or patronage whatever, and the design of their appointment will be to enable the people to learn, from the examinations of capable and disinterested men, the manner in which their schools are conducted.

5. The superintendent of the schools is to report annually to the Legislature, the condition of the public schools, together with such matters as he may deem it expedient to call their attention.

6. A provision is made for the future distribution of the revenue arising from the school fund, amongst the several school divisions, on the principle, that those which have instructed the largest number of scholars during the year, shall be entitled to the largest proportions; the same principle is adopted in the distribution of the division share amongst the districts therein.

7. The schools in each division are to adopt the same course of study, which is to be devised by a majority of the teachers and approved by the joint meeting thereof. Many advantages will rise therefrom, but especially this: that if a child is removed from one part of the school division to another, he will be able to join, in his new school, the same class he belonged to in the old. Some other provisions are embraced, which it is unnecessary to enumerate.

Your committee hope that the provision, which is intended to distribute the income of the school fund, will not long remain a dead letter, if the bill is adopted. If the principle of distributing the proceeds of the public lands, which has been lately approved in the House, is adopted by Congress, Pennsylvania will soon receive a revenue large enough to make her school fund available. There is another topic to which your committee must ask your attention, before they consider their duty even imperfectly performed: it regards the teachers to be employed in the common schools, and their compensation. In this country, the school-master, as he is termed, does not enjoy that consideration which the services required of him, and the talents necessary to

perform those services, ought to confer on him. The men who are entrusted to form the minds of the youth of this country, and to direct their expanding energies, should be classed as a profession of the highest order. Their labours are great, their services are valuable, and therefore their reward should be so liberal as to attract the best talents. It is a melancholy truth, that in most parts of this country, even in New England, the occupation of a school-master yields less profit than that derived from the humblest mechanical labour. In many places, the schools are taught by those who accept ten or twelve dollars per month for their services. Can any rational man think that the talents and acquisitions that ought to be imparted, can be obtained for such wages?

If a system of education is to be established, let the scale of expenditure be liberal; let it form an important department of the government; let every man connected with its administration, from the head of the department to the humblest teacher, be considered as a highly valuable public servant, and as such enjoy a liberal reward. Let this be done, and though the public schools will yield no revenue, they will annually contribute to the public something more valuable—a body of virtuous and enlightened citizens.

An act to establish a General System of Education by Common Schools.

Sect. 1. Be it further enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the city of Philadelphia, the county of Philadelphia, and the several other counties in this commonwealth, shall each form a school division; and the several wards and election districts within the several school divisions, shall each form a school district, each of which shall contain one or more common schools for the education of every child within the limits thereof, who shall apply by his or her parent or guardian for admission and instruction.

Sect. 2. And be it further enacted by the authority aforesaid, That at the first general election in this commonwealth, after the passage of this act, the votes of the citizens, qualified voters thereof, shall be taken on the acceptance of this act, in the following manner: the sheriff of the city and county of Philadelphia shall give notice, at the same time and in the same manner as he shall give notice of the said general election, that a ballot will be taken at the said election, in the said city and county respectively, on the acceptance of this act, and that the form of the vote in the affirmative will be *School*, and in the negative *No school*; and a similar duty shall in like manner be performed by the sheriffs of the several other counties respectively. And if it shall appear that a majority of the votes given at the said election, in the city or any county, are in favour of accepting this act, then the same shall extend to the said city or county in which such a majority of votes shall be given, but not otherwise; but if the said act shall be rejected by the said city or any county, the question of acceptance shall be renewed in a similar manner, in such city or county, at each succeeding general election, until it shall be accepted in manner aforesaid.

Sect. 3. And be it further enacted by the authority aforesaid, That whenever this act shall be accepted by the said city or any county, it shall be the duty of the sheriff thereof, to issue his proclamation, within twenty days after such acceptance, for an election to choose six citizens of each school district, to serve as school commissioners of said district, to be held on a day to be named in said proclamation, not exceeding three months from the day of the general election at which this act may be accepted, to be conducted at the same place or places, and by the same judges and inspectors of the said general election.

Sect. 4. And be it further enacted by the authority aforesaid, That it shall be the duty of the said commis-

sioners, within ten days after the first election, to meet in their respective school districts, when each board shall choose, out of their own body, a president and secretary, and a delegate to the joint meeting; and it shall be the duty of each board, at the same meeting, to divide themselves into three classes, the first of which shall serve until the next general election, the second until the second general election, and the third until the third general election following, so that one-third of each board may be chosen at each general election; and if any vacancy shall occur by death or otherwise, it shall be the duty of the board, in which such vacancy may occur, to supply the same by the choice of a competent citizen of the district, who shall serve as a school commissioner until the next general election.

Sect. 5. And be it further enacted by the authority aforesaid, That within thirty days after the first election of school commissioners, and annually thereafter on the first Monday in December, there shall be held, in each division, a joint meeting of the county commissioners, and one delegate from each board of school commissioners within said division, in which the appropriation for expenditure in each district shall be authorized by a majority of the joint meeting, and in all cases the proportions for the several districts shall be equal; the basis being the number of taxable inhabitants in each district. It shall be the duty of the sheriff of each county, to fix the day on which the first meeting of the said joint meeting shall be held, and give notice thereof to the several county commissioners and delegates of the division or divisions within his jurisdiction. Each member of the joint meeting shall be entitled to receive one dollar per day for each day's attendance in said meeting, to be paid out of the county treasury.

Sect. 6. And be it further enacted by the authority aforesaid, That the appropriations made for the common schools, by the joint meeting, shall be considered part of the authorized estimates of county expenditures, and shall be levied and collected in the usual manner, under the name of *School tax*: Provided, that no additional tax shall be levied on any property now or hereafter to be made taxable for ordinary county expenditures, until a poll tax, not exceeding two dollars, shall be levied on every taxable inhabitant within any school division: And provided also, that to constitute a joint meeting, at least one of the county commissioners and a majority of the delegates of the school districts in each division shall be required.

Sect. 7. And be it further enacted by the authority aforesaid, That it shall be the duty of the several boards of school commissioners, to determine the number of schools to be opened in their respective districts, to cause suitable buildings to be erected, or buildings or rooms to be hired for schools, to appoint capable teachers at liberal salaries, to admit scholars, to have the general superintendence of the school or schools of their respective districts, to pay the necessary expenses incurred thereby, by orders drawn on their treasurer, signed by the president and countersigned by the secretary of the respective boards. Provided, that no school commissioner shall receive any emolument whatever for his services, but shall be exempt, during the performance of the duties of said office, from military duty.

Sect. 8. And be it further enacted by the authority aforesaid, That it shall be the duty of each board of school commissioners, by two or more of their number, to visit every school within their school district, at least once in every month, and cause the result of said visit to be entered in the minutes of the board; and it shall be their further duty to make an annual and full report to the inspectors of their district, on or before the first of October, of the situation of each school in their district, the number of scholars, the rank of studies attained, the number of months in the year the schools shall have been opened, the expenses attending each school, together with such information as may be beneficial in forming a just estimate of the value of such schools.

Sect. 9. And be it further enacted by the authority aforesaid, That annually on the first Monday in January, the District Court of the city and county of Philadelphia, shall appoint two citizens of each school district in the school division composed of the city of Philadelphia, who shall be men of good education, to be inspectors of the public schools within their respective school districts; and a similar duty shall at the same time be performed by the several courts of Common Pleas in this commonwealth, for the school division or divisions within their jurisdiction respectively.

Sect. 10. And be it further enacted by the authority aforesaid, That it shall be the duty of the school inspectors, to visit every school in their respective districts at least once in every three months, to inquire into the moral character, learning, and ability, of the several teachers employed therein; to examine into the state and condition of such schools, both as respects the progress of the scholars in learning and the good order of the schools; to give their advice to the school commissioners as to the government thereof; to make an annual report to the superintendent of the public schools, on or before the first Monday in November, of the situation of the schools in their respective districts, founded on their own observation, and the report of the respective school commissioners, to include the characters of the teachers, the number of scholars admitted during the year in the several schools under their inspection, the number engaged in each separate study, the number of months in the year during which each school shall have been kept open, the cost of school houses, either for building, renting, or repairing, and all other costs that may have been incurred in maintaining the several schools in their respective districts; and also shall cause the same to be published in all the newspapers published in their school division, at the expense of the respective city or county.

Sect. 11. And be it further enacted by the authority aforesaid, that the Secretary of the Commonwealth, in addition to the duties he is now obliged to perform, shall be the superintendent of all the public schools throughout the commonwealth, to be established under the provisions of this act, whose duty it shall be to prepare and submit an annual report to the Legislature, containing a statement of the condition of the public schools of the commonwealth, estimates and accounts of expenditures of the proceeds of the school fund, plans for the improvement and management of the said fund, and for the better organization of the common schools, and all such matters relating to the office of superintendent and to the common schools, as he may deem it expedient to communicate.

Sect. 12. And be it further enacted by the authority aforesaid, That as soon as conveniently may be, after their appointment, the teachers of the several districts shall meet in their respective school divisions, and adopt an uniform course of study to be pursued in every school in the division. Provided, that no course shall be adopted which is not approved first by a majority of said teachers, and afterwards by the joint meeting.

Sect. 13. And be it further enacted by the authority aforesaid, That when the school fund shall amount to one hundred thousand dollars per annum, the same shall be distributed amongst the several divisions created by the adoption of this act, in manner following: The superintendent of common schools shall give notice, in at least one public newspaper in every school division within this commonwealth, for the space of three weeks, of the sum then in the fund for distribution, of the number of schools in each school division, and the number of persons instructed in the common schools of each division, and the share of the money remaining in the school fund that each division is entitled to; and such distribution shall be made as near as may be, in a pro rata proportion: those divisions having the greatest number instructed during the preceding year,

to receive the largest share—and that as soon as practicable thereafter, the commissioners of said school fund shall cause the distributive share of each division to be paid to the treasurer thereof, which share shall be apportioned amongst the respective districts of the several divisions, by the joint meeting thereof, according to the said principle of distribution prescribed for the superintendent. Provided, that the necessary expenses of advertising and distributing said money amongst the treasurers of the several divisions, shall be defrayed out of the school fund, and provided, that no school district shall be entitled to a distributive share, unless the report directed to be made by this act, shall have been made for the preceding year, by the inspector thereof.

Sect. 14. And he it further enacted by the authority aforesaid, That the county commissioners of each county in the commonwealth, shall have power to take and hold in fee simple, or otherwise, any estate, real or personal, which shall be given by any person or persons, or bodies corporate, for the use of any school division or district within the said county.

Sect. 15. And be it further enacted by the authority aforesaid, That it shall be the duty of the treasurer of each county, for the time being, to receive all the monies, from whatever sources they may arise or become due, that are to be applied to the support of any school or schools created under the provisions of this act, within said county; and he shall keep a just and true account of all his receipts and payments, which the auditors of the county shall audit, settle and adjust, in like manner as they shall audit, settle, and adjust his accounts as county treasurer; and it shall be his duty to transmit to the Secretary of the Commonwealth, on or before the first Monday of December in every year, an account of all the monies received during the year for the use of any school or schools of any division or district of his county, designating in said report from what sources said monies have been derived, and to what uses they have been applied; and such account shall be sworn or affirmed to by him, in the Court of Common Pleas of the said county.

Sect. 16. And be it further enacted by the authority aforesaid, That every board of school commissioners shall draw their order on the treasurer, for the expenses incurred by them, to the order of the person or persons to whom the amount may be due, and shall plainly designate the service or services on account of which the said order is drawn.

Sect. 17. And be it further enacted by the authority aforesaid, That so much of any act of the General Assembly as is hereby altered or amended, is hereby repealed.

PHILADELPHIA FIRE COMPANIES.

The firemen of Philadelphia are not surpassed, perhaps not equalled, by those of any other city in the world, for activity, enterprise, intrepidity, skill and the successful application of their apparatus, to the extinguishment of fires. This is high praise. It is the more to their credit, because in our city, the service they perform is entirely voluntary, and meets with no remuneration but the consciousness of having performed their duty as citizens.

In other places, exemption from military duty, from serving on juries, and other important privileges and immunities are held out to those engaged in the fire department, and their engines and apparatus are generally provided and maintained at public expense. In Philadelphia the first cost of engines and hose is defrayed by private subscription, and in a great degree by the same individuals who gratuitously serve as members of the companies. These companies also pay their own expenses, except so far as appropriations from the City Councils and corporations annually made, may be sufficient for the object.

Taking these circumstances into consideration, the

following list of the Fire Companies of Philadelphia, and of their engine, hose, and other apparatus, cannot but prove interesting, nor will it fail to be regarded as high evidence of the liberality, disinterestedness, and public spirit which distinguish the firemen in our city. —*Com. Herald.*

ENGINE COMPANIES.

Diam. of Chamber.	No. ft. of Hose.
America, 8½	200
Assistance, 9½	200
Columbia, 8	Hose Tender, 475
Delaware, 8½	do. do. 200
Diligent, 9½	do. do. 600
Fair Mount, 8	do. do. 500
Franklin, 7½	do. do. 400
Friendship, 7½	do. do. 350
Globe, 7½	
Good Intent, 7½	
Good Will, 8	do. do. 500
Hand-in-Hand, 7½	do. do. 100
Harmony, 7	do. do. 600
Hibernia, 7½	do. do. 300
Hope, 7½	do. do. 100
Humane, 7½	do. do. 500
Kensington, 8	
N. Liberties, No. 1, 9	do. do. 500
Pennsylvania, 9½	do. do. 1100
Philadelphia, 8	Hydraulion, 1000
Phoenix, 7	Hydraulion, 1000
Point Pleasant, 7	
Reliance, 8½	do. do. 100
Southwark, 9	Hose Tender, 800
United States, 8	do. do. 600
Vigilant, 8½	do. do. 500
Washington, 8	do. do. 400
Weccacoe, 7½	do. do. 400

28 Engines.

11,425

HOSE COMPANIES.

America, - - - - -	1070
Columbia, - - - - -	1000
Fame, - - - - -	1050
Diligent, - - - - -	1000
Good Intent, - - - - -	1050
Hope, - - - - -	1500
Humane, - - - - -	1000
Independence, - - - - -	800
Lafayette, - - - - -	800
Neptune, - - - - -	1200
Niagara, - - - - -	1400
Northern Liberties, - - - - -	1000
Pennsylvania, - - - - -	600
Perseverance, - - - - -	1000
Philadelphia, - - - - -	1200
Robert Morris, - - - - -	1000
Resolution, - - - - -	1000
Southwark, - - - - -	1400
United States, - - - - -	1000
Washington, - - - - -	1000
William Penn, - - - - -	800

21 Hose Companies,

21,870

Belonging to Engine Companies,

11,425

Total,

33,295

In 1818 a number of Companies joined together under the name of the "Fire Association of Philadelphia," for the purpose of insuring against loss by fire. They commenced without funds, but such was their credit, that ten risks were offered and taken the first year. In 1819, the risks taken were 17. In March, 1820, a charter of incorporation was obtained. The risks taken in each year since, are as follows:

In 1820	29	In 1827	473
1821	53	1828	439
1822	77	1829	501
1823	321	1830	481
1824	252	1831	502
1825	345	1832	583
1826	338		

Total risks taken, 4387

The total amount of losses paid since the organization of the Association, is only \$5,888 15.

From the Philadelphia Gazette.

PROCEEDINGS OF COUNCILS.

Thursday, Feb. 14, 1833.

SELECT COUNCIL.—The following letter from the Mayor of the city was received, with the two annexed communications. The first of which was referred to the committee of Ways and Means, and the second to the Mayor with power to act.

To the President and Members of the Select Council.

Gentlemen—I have the pleasure to say, that the plate voted to the Physicians in chief of the different Cholera Hospitals by the late Council, is now finished, and in my possession.

I have also the honor to enclose two communications from the Honorable Jesse Hunt, Mayor of the city of Baltimore. All of which is respectfully submitted by yours, most respectfully,

JN. SWIFT, Mayor.

Feb. 14th, 1833.

Mayor's Office, }
BALTIMORE, Feb. 4th, 1833. }

To the Honourable John Swift, Mayor of the city of Philadelphia.

I have the honor herewith to transmit a copy of a resolution adopted by the City Council of Baltimore, on the 31st of January, 1833.

“Resolved, by both branches of the City Council, That the Mayor be requested to correspond with the Mayor of New York and Philadelphia, and to propose to them, that the Corporations of Baltimore, New York and Philadelphia, should unite in a memorial to Congress, praying to be relieved by law from the burthens and inconveniences to which they are subjected, by the frequent importation of thousands of Paupers, from foreign countries.”

The above resolution was adopted in consequence of doubts existing respecting the authority of the State Legislature to correct the evil complained of.

The expenses of our city (and no doubt of yours also) have been very materially increased for several years past, by the introduction of foreign Paupers. The Health Officer, whose duty it is to visit foreign vessels arriving at this port with passengers, reiterates in his annual reports for the last four years, the statement, that a large number of inmates of Alm Houses in Europe, in the most deplorable condition, continued to be sent (as many of them stated) to this country at the expense of European Parishes.

Our beloved country I trust will long continue to furnish a peaceful and quiet home to the people of every nation, and especially to the “oppressed and distressed” of all who may be willing to use reasonable exertions for their maintenance and support, and should such be visited with misfortune or poverty, they will ever find the same kind assistance as if they were native born citizens, and certainly in such cases no difference would or ought to ever exist; but whilst all this is in just accordance with our republican institutions, and the benevolent feelings which characterize our citizens, only one opinion can exist respecting the injustice of European Parishes infesting our cities with Paupers from their Alm Houses.

Permit me to invite your serious consideration to this subject, and respectfully to request as early an answer relative to the object of the above resolution of our Council, as the nature of the subject will admit of.

Very respectfully, yours, &c. &c.

JESSE HUNT, Mayor.

Mayor's Office, }
BALTIMORE, Jan. 26, 1833. }

To the Honourable John Swift, Mayor of the city of Philadelphia.

I have the pleasure herewith to transmit the annexed resolution, passed by the City Council of Baltimore; and if the proposition meets your approval, I shall be happy to forward to you full copies of our City Ordinances, and to receive full copies of the ordinances of your city in exchange.

Yours, with respect, &c. &c.

JESSE HUNT, Mayor.

“Resolved, by the Mayor and City Councils of Baltimore, That the Mayor be, and he is hereby requested to procure as soon as practicable from the authorities of the cities of Boston, New York, Philadelphia, and such other cities as he may deem expedient, full copies of their respective City Ordinances, in exchange for those of Baltimore.

JNO. J. RONALDSON,

President of the First Branch.

PHIL. MOORE,

President of the Second Branch.

Approved, Jan. 23d, 1833.

JESSE HUNT, Mayor.”

A communication was received from the commissioners of the Girard Estate, (relative to a letter from Judge Bry) which was referred to the committee on Girard Lands out of the county of Philadelphia.

Mr. Groves presented the annexed petition from Mr. Wm. Swaim, which was referred to the committee on Rittenhouse Square.

To the Select and Common Councils of the City of Philadelphia.

The petition of William Swaim, respectfully sheweth:

That being proprietor in fee of a square of ground containing three hundred and seventy-two feet front on Rittenhouse Square, by two hundred and fifty feet in depth, viz: From Locust to Walnut street, and from the Square to Schuylkill Third street—he has determined to give a suitable portion thereof vested in Trustees, for the purpose of building thereon, a place of Public Worship, to include a Sunday School, and an Infant School. To facilitate access thereto, petitioner prays Councils to open the Square by a street leading into Walnut street, in the same manner as established on the west side of the Washington Square, and all other squares in the city. Petitioner begs leave to observe that this ground is in the midst of a numerous and rapidly increasing population, that there is no place of Public Worship in the whole District, from Market to South street, west of Broad street. Petitioner therefore anticipates great benefit to the rising generation, from such an institution, fostered by the community, of which assurance is given and ardently relied on.

Very respectfully,

WM. SWAIM.

Philadelphia, Feb. 14, 1833.

The annexed communication was received and referred to the committee on the Washington Monument.

PHILADELPHIA, Feb. 13, 1833.

To the Select and Common Councils of the City of Philadelphia.

Gentlemen—The committee appointed by the Washington Monument delegation of the city and county of Philadelphia, to confer with your honorable bodies, beg

leave to state, that if they understand the history of past legislation of Councils on the subject of the monument—a resolution was passed appropriating Washington Square as the location for the same, when a sufficient amount of funds shall have been raised to complete the same.*

The committee are of opinion, that until a commencement is made, the contributions of the public will not be made with that facility and cheerfulness, which they have reason to believe would be the case, were a commencement made by laying the corner stone, the new ceremony so performed would give an impulse and stimulus to the public feeling, and the completion would then be insured. With this view they respectfully solicit Councils to grant the privilege of laying the corner stone on the 22d inst.

Respectfully your ob't serv'ts,

JOHN THOMPSON, Chairman.

On behalf of the committee.

ALEXANDER C. DRAPER, Secretary.

The committee beg leave to assure Councils that they have every confidence in being able to complete the work, and that from the manifestation of public feeling, they are assured that the requisite funds will be promptly contributed.

A. C. DRAPER, Sec'y.

Messrs. Worrell, McCready, Massey and Groves, presented remonstrances against lighting the city with Gas, which was referred to the committee on Gas.

Mr. Massey presented the following communication from the Concordia Society.

To the Honourable the Select and Common Councils of the city of Philadelphia.

Most respectfully,

In consequence of a proposal, which has been published in several German newspapers, nearly one hundred families of new arrived Germans, who have been induced by the hard oppressions of the times, to emigrate into the happier country of the United States of North America, have united to form a Society, with the principle,

"To stand one for all, and all for one."

This Society has adopted the name of Concordia, and the members of it consist partly of tradesmen of every description, and partly of farmers, who have been since their infancy, accustomed to hard labour and endurance.

A long travel by land and sea has consumed the greatest part of their pecuniary means, but they have much good will and strength to work; and wish particularly to establish a proper and mutual home, and to acquire some property for themselves and for their children.

The constitution of this Concordia Society contains entirely liberal principles, which are in conformity with the constitution of the United States.

Among those tracts of land, which have been found answerable for the objects of the Society, there are in particular 14,000 acres of land situated on both sides of the western branch of the Susquehanna river, partly located in Centre and partly in Lycoming county, and which are the property of the city of Philadelphia.

As this Society has certain promises, that in the next following years, a great many, and partly wealthy emigrants from Germany will unite with the Concordia as soon as the necessary buildings will be ready for their reception, the Society is resolved to purchase the whole tract of 14,000 acres of land, provided the following conditions will be granted to them by the respectable corporation of the city of Philadelphia.

1. The price of the acre is not to be more than two dollars.

2. The interest of the purchase money not to begin before the fourth year after the possession.

3. The amount of the purchase money to be payable in seven different instalments, of which the first may not, be payable before the fifth year after the execution of the Deed.

4. For the security of both parties the purchasers receive a lawful deed, and the sellers receive a usual mortgage of the whole.

The Concordia Society having to provide themselves for the first beginning, not only with all the necessary provisions for subsistence, but also with all kind of cattle, farming utensils and household furniture, they can by no means enter into higher prices and heavier conditions; as besides a considerable part of this land consist in very steep mountains, which can not be cultivated.

The city of Philadelphia would besides, by a contract with the Concordia Society, have the great advantage that many a German emigrant family will in future, without making a long stay here, and without being burthensome to the clemency of the inhabitants of this city, prefer to embark for the Concordia Society, which will endeavour to re-establish the former proverbial German honesty and German fidelity.

With the greatest respect, I remain, your honour's most respectfully, in the manner and in order of the Concordia Society.

PHILIPP JACOB DEININGEN.

Mr. J. P. Wetherill as chairman of the Watering Committee, made the annual report which was ordered to be printed.

Mr. J. P. Wetherill on behalf of the committee on gas, made a report accompanied with sundry documents, which were ordered to be printed in four of the daily newspapers, and 500 copies in pamphlet. [See last No.]

Mr. Worrell as chairman of the committee on Chesnut street wharf on Schuylkill, made the annexed report and resolution which were agreed to.

The committee having the care and improvement of the city property on the Schuylkill, south of the Permanent Bridge, by authority vested in them as per resolution of the 26th April, 1832, to carry into effect the improvements described in a report and plan submitted to Councils on that subject, on the 22d of March previous,

Report, that they have made the necessary purchases and contracts from time to time, for the progression of the work.

That a contract was entered into with William Donaldson for building and sinking two wharves embracing more than one-half of the lot on Schuylkill front, for the sum of dollars, and is now nearly finished, and that they have also completed the foundations which are of considerable magnitude for two stores, the whole being 120 feet front north and south on Beach street, and in length east and west 80 feet, with a dock or canal extending from the wharf to Beach street, being about 200 feet in length by 42 feet in width, the sides of which are walled up with stone in the most substantial manner.

That the work of the floodgate and suitable trusses connected therewith, are in a state of forwardness. That a contract has been made for taking down the old engine house, and considerable progress made therein.

And that the committee intend going on with the two stores as early as the spring season will admit. Your committee deem it proper here to state that several applications have been made for renting wharves and landings north of the improvements now in progress, and that they have procured a plan and estimate for the additional wharves and landing. The whole amount for excavating and walling the dock, and building wharf, &c, is herewith submitted, which is within the sum of six thousand dollars.

Your committee therefore recommend the adoption of the following resolution.

Resolved, by the Select and Common Councils that the committee be authorized to make the necessary purchases and contracts from time to time for the completion of said additional wharves, docks, landings, &c.

Mr. Lewis moved to take up for consideration the resolution attached to the communication of the Commissioners of the Girard estate reported at the last meeting of Councils, which was agreed to, and adopted by both Councils.

Mr. Massey offered the annexed resolution, which was adopted by both Councils.

Resolved, by the Select and Common Councils, That the Commissioners for the erection of the Almshouse, for the accommodation of poor on the west side of the river Schuylkill, be requested to furnish to Councils as early as convenient a statement, exhibiting the sum that has been expended in the erection of the rear buildings,—the sum that has been borrowed for that object, the rate of interest and when payable, the amount of interest payable this year and to be levied on as part of the poor tax, and the sum in their opinion it will be yet requisite to borrow for the completion of the same, the value of the present Almshouse property in Spruce street, as near as they can estimate, and what will be in their opinion the whole cost of the establishment when completed. With a particular description and dimensions of the buildings, the number of paupers they are calculated to accommodate, and the probable time they may be removed in whole or in part to the new Almshouse, with any further information they may deem important to communicate upon the subject.

The Select Council adjourned to meet on Thursday evening next.

COMMON COUNCIL.—The following communication was received from the Treasurer of the Girard Fund, and was referred to the Commissioners of the Girard estate.

TREASURER'S OFFICE OF THE GIRARD TRUST, }
Feb. 14, 1833.

To the President and Members of the Select and Common Councils.

Gentlemen,—I received on the 12th instant, from Wm. J. Duane, Esq. one of the Executors of the estate of Stephen Girard, the following note and submit it for your consideration.

Mr. B. Cooper,

Dear Sir,—I will thank you to ascertain and inform me, whether the following arrangement will be agreed to? it is deemed the easiest way of settling matters, and of preventing delay.

1. The city is bound to pay, out of the Rent Fund, \$400 per year to Mrs. Hoskins.

2. Mr. Girard's correspondents in Havre paid her, and she owes Mr. Girard's estate, Francs 1875

3. The city owes her,

Dec. 27, 1831, \$200

June 27, 1832, \$200

Dec. 22, 1832, \$200

—————
\$600—3200 Francs,

4. So that there is really due the sum

of (to Mrs. Hoskins) Francs 1325

—————
Francs 3200

The Executors propose to receive from the city and give their receipt for the \$600 due Mrs. H. from the city. They will then remit to her 1325 francs and get her receipt for the whole sum of \$600 or 3200 francs, which they will hand over to the city.

Yours, respectfully,

Feb. 12, 1833.

W. J. DUANE.

Upon examining the Will of Stephen Girard, I find in the 18th Sec. 2d Item, that he has bequeathed to Mrs. Catharine Girard, now widow of J. B. Hoskins, an annual

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nuity of \$400, payable half yearly in advance during her life, and under the circumstances of this case, I beg leave to recommend that Councils pass a resolution requesting the Mayor of the city to draw a warrant on the treasurer of the Girard trust for six hundred dollars to pay the above claim, as there is no appropriation made for this annuitant. I must also suggest the necessity of authorizing the Mayor to draw a warrant on the first of March, 1833, on the Girard Treasury, for five hundred and twenty-five dollars, to pay George Pepper, Esq. six months' interest which will be due on that day for his mortgage \$21,000, in the Water street estate, purchased subsequent to the last publication of the Will of Stephen Girard, and to be charged to that part of the estate.

All of which is respectfully submitted,

By your very obedient servant,

BRITAIN COOPER,
Treasurer of the Girard Trust.

A communication from Spencer Dewees was received, and referred to the committee on the Drawbridge Lot, on renewal of lease.

Mr. Chandler offered the annexed resolution, which was adopted, and referred to a joint committee of four members of each Council, and Messrs. Chandler, McMullin, Merrick, Sailor, Groves, Worrell, Massey, and Lewis, were appointed the committee.

Whereas, by the Will of the late Stephen Girard, it is made the duty of the city authorities to organize the college for which he has provided, as soon as practicable, and as it does not appear that there is any thing to prevent the commencement of the buildings the ensuing season. Therefore,

Resolved, That a committee consisting of four members of the Common Council, and four members of the Select Council, be appointed to devise and report to Councils such arrangements as to them may seem best calculated for commencing and completing the College buildings, designated by the will of the late Stephen Girard—and that the said committee be authorized to report by bill or otherwise.

Mr. S. Wetherill offered the following resolution, which was on motion of Mr. Houston laid on the table.

Resolved, That the committee appointed on the 25th of October last, in relation to the navigation of the river Schuylkill, be instructed to proceed no further for the present in the object of their appointment.

Mr. Merrick offered the annexed resolution, but before it was acted on, the Common Council adjourned.

Resolved, That the committee on Schuylkill navigation be instructed to inquire and report at the next meeting of Councils, what action was had by the committee of the last Councils in connexion with the authorities of the adjoining districts, on the subject of the navigation.

—————
Tuesday, Feb. 26, 1833.

SELECT COUNCIL.—The following communications were received, and referred to a joint committee of three members of each Council, and Messrs. Ingersoll, Groves, Lippincott, Troth, Gowen, and Chandler, were appointed the committee.

To the President of the Select and Common Council of Philadelphia.

HARRISBURG, Feb. 23, 1833.

Sir,—I have the honor of enclosing you a resolution, this day passed by the House of Representatives of this commonwealth. It is the intention of the committee to proceed to the city on Tuesday next, on the object of their appointment. You will be pleased to lay this subject before the Select Council, and have such order taken thereon, as may facilitate the conference directed by the resolution.

I am Sir, your obedient servant,

THOMAS ASHBURIDGE.

In the House of Representatives,
February 23, 1833.

Whereas, it is essentially important that preparations should be speedily made for the accommodation of the internal commerce of Pennsylvania, and the interest of the freemen of Pennsylvania will be most beneficially promoted by the state becoming sole transporter by her agents, on the Columbia rail-road; and whereas depots at the most eligible points, will be indispensable: Therefore,

Resolved, That Messrs. Ashbridge, Wallace, and McCulloch, be appointed to confer with the constituted authorities of the city of Philadelphia, relative to obtaining a relinquishment to the state of their jurisdiction over the public square at the intersection of Broad and Market streets, for the purpose of establishing a vast depot for the produce to be transported on the Pennsylvania rail-road.

Extract from the journal,

Frs. R. SHUNK, Clerk,

Mr. Groves offered the annexed resolution, which was adopted.

Resolved by the Select and Common Councils, That the Mayor be, and he is authorised to draw his warrants on the Treasurer of the Girard trusts, in favor of Thomas U. Walter, for four hundred dollars; William Strickland, for two hundred dollars; and Josiah Rodgers, for one hundred and fifty dollars—being the sums awarded them as premiums for their plans of the Girard College, at the meeting of Councils on the 12th day of February instant.

AN ORDINANCE,

Granting permission to certain citizens to lay the corner stone of, and to erect a monument in memory of GEORGE WASHINGTON, in Washington Square.

SECT. 1. *Be it ordained and enacted by the citizens of Philadelphia, in Select and Common Councils assembled,* That for the purpose of erecting and constructing a monument to the memory of GEORGE WASHINGTON, late the illustrious President of the United States, and Commander in Chief of their armies, permission be hereby granted to the general conference of delegates assembled, to effect that object, whereof Nathan Bunker is chairman, to lay the corner stone of, and to erect and construct the said monument in Washington Square: Provided, That a plan of the monument proposed to be erected shall be submitted to, and approved of by the Select and Common Councils, before the erection and construction of the same.

SECT. 2. *And be it further ordained and enacted by the authority aforesaid,* That the said conference in any committee or committees appointed by them shall be in all acts and proceedings in and about the laying of the corner stone of, or in and about the erection and construction of the said monument in the said Washington Square, under the control, guidance, and superintendence of the joint committee of Councils, appointed to have charge of the said Washington Square.

Enacted into an ordinance in the city of Philadelphia, this nineteenth day of February, in the year of our Lord, one thousand eight hundred and thirty-three.

HENRY TROTH,

President of the Common Council.

J. R. INGERSOLL,

President of the Select Council.

Attest—Robert Hare, Jr. Clerk Common Council.

CELEBRATION

Of the hundred and first anniversary of the birth of GEORGE WASHINGTON, by a Civic and Military Procession, and laying the corner stone of a Washington Monument.

Yesterday, the one hundred and first anniversary of the birth-day of WASHINGTON, was selected by our fel-

low citizens as the proper time for at length laying the corner stone of a monument to his memory. The place fixed upon was Washington Square, where, for a day or two, workmen had been employed in making an excavation of a suitable depth for the purpose. This was not accomplished without disturbing the graves of some of the tenants of the old Potter's Field, which, it will be remembered, occupied the site of a place now dignified with a more agreeable title. A large concourse of citizens witnessed this operation, and exhibited strong symptoms of approbation, that something was likely to be done in this long talked of affair. The bones, as they were dug up, were placed in boxes, and were all suitably re-interred elsewhere.

One of the most beautiful mornings ever seen was ushered in by the merry peal of bells, and by nine o'clock the streets were thronged with busy faces, anxious to take a part in, or to witness the procession and subsequent ceremony. The mayor acted as chief marshal of the day; the venerable Bishop White consented to officiate on the occasion, and David Paul Brown, Esq. at very short notice, to deliver the oration. The various tradesmen, &c. took part on the occasion, as last year, and contributed greatly to the effective nature of the ceremony. The military, too, were, as usual, found ready to join in the good work, though the time allowed for calling them out was not sufficient to collect the companies from the neighboring counties, who would, doubtless, have been glad to have participated on the occasion. The line formed in Arch-street, right on Seventh-street, displaying eastwardly, and moved up Arch to Tenth, down Tenth to Spruce, down Spruce to Fourth, down Fourth to Christian, down Christian to Second, up Second to Arch, up Arch to Third, up Third to Green, up Green to Sixth, down Sixth to Callowhill, up Callowhill to Eighth, down Eighth to Walnut, and down Walnut to the Square.

The procession, owing to the hurried notice which was given, was not so numerous as last year, but it was an imposing spectacle. It was preceded by three trumpeters; then followed

General Patterson and Aid.

THE ORDER OF THE FIRST BATTALION.

CAVALRY.

The first City Troop, Captain Hart.

The National Troop, Captain Riley.

The second City Troop, Capt. J. P. Wetherill.

ARTILLERY.

The Battalion of Artillery, commanded by Col. Provost, composed of the

Junior Artillerists, Capt. Baker.

Phalanx Artillerists, Capt. G. Bumm.

State Artillerists, ———.

Independent Jackson Artillerists, Capt. Porter.

Lafayette Artillerists, Capt. Murphy.

DETACHED COMPANIES.

Second Company of State Fencibles, Capt. Murray.

Governor's Guards, Capt. White.

Lafayette Light Infantry.

The Union Fencibles, Capt. R. Lee.

The Washington Blues, Lieut. Weeks.

Mifflin Grays, Lt. W. Moore.

The Battalion of Greys, under command of Capt.

Fritz, composed of the

Washington Greys, Capt. J. Worrell.

Philadelphia Greys, Capt. Cadwalader.

National Greys, Capt. Fritz.

New Company Lafayette Greys, Capt. W. Brown.

The Mayor, as Chief Marshal.

The corner stone, drawn by four white horses; the inscription on one side, "Presented by the marble masons of the city of Philadelphia. Feb. 22d, 1832," and on the reverse, "Corner Stone of a Monument

to Washington." The marble masons, headed by Mr. Adam Traquair, followed with a splendid banner, representing a Grecian building in progress, and the genius of Columbia patronizing the work.

The banner, representing the implements of the trade, and a portrait of Washington, and followed by the Philadelphia Band.

The Hatters,

In elegant costumes, wearing revolutionary hats—Banner, a Beaver—and motto, "By the industry of the Beaver we support our rights."

The Committee of Delegation and Committee of Arrangement,

Banner and motto, "The rising monument bespeaks the gratitude of our country to the People's Father."

The Agriculturalists and Gardiners,

With a splendid emblematical banner, followed by the society, three members bearing gardening implements, and a superb bouquet of flowers, oranges, and tropical fruits, surmounted with birds, of rich and variegated plumage.

The Tin Plate Workers,

Accompanied by a band of music, and banners, emblematic of the trade, and one of Washington; the banners surmounted by coffee pots, and other insignia.

The Tobacconists,

With a banner, representing Washington exchanging the calumet of Peace with an Indian.

The Journeymen Cabinet Makers,

With two banners and emblems.

Marshals of the day.

The Silver Plate Workers, &c.

With two banners.

The Cordwainers,

Banner of Washington—inscription, "The Father of his Country."

Saddlers,

With a banner—motto, "Our trust is in God."

Two colored men, dressed in Turkish costume, led and drove two superb horses—one in a splendid suit of harness, the other with side saddle and appropriate trappings.

The Youth's Library and Literary Association,

Banner with the motto, "Knowledge is Power;" instituted Aug. 10, 1828.

The procession arrived at the ground a little after two o'clock, and was joined by the city councils and other public functionaries—the band playing Hail Columbia.—Dr. W. C. Draper then made the following pertinent address, amid the cheers of a large concourse of spectators, estimated to consist of from twelve to fifteen thousand persons.

DR. DRAPER'S ADDRESS.

"Fellow Citizens,

The long looked for period has at length arrived, at which we are to testify our gratitude and love to the Father of his Country, the immortal Washington.

Notwithstanding the culpable apathy which has prevailed among our citizens in relation to the erection of a cenotaph, in our city, to commemorate the worth and virtues of him who was first in war, first in peace, and first in the hearts of his countrymen, it is gratifying to the patriot, and indeed to all those who are animated by the amor patriæ, to witness the ardent feeling and generous enthusiasm which are exhibited throughout all ranks in this great community, and the praiseworthy zeal which is now manifested in promoting the completion of a monument, which shall tell to the unborn generations, which are to supply our places in future ages, that we felt, deeply felt, that we could not too highly appreciate the memory of our beloved Washington. But, however pleasing it might be to me to dwell upon this interesting subject, I shall forbear trespassing

upon your time and patience, as you will be amply gratified in listening to the orator of the day, whose brilliant eloquence and splendid oratory delights the ear, enraptures the fancy, and powerfully impresses all hearts.—I shall therefore hastily take a glance at the organization and proceedings of the Washington Monument Delegation—detail the articles which are deposited in the corner stone, and concludes with a few general observations.

The Delegation has but a short time been called into existence,—the people becoming impatient at the delay evinced on the part of those whom they conceived should have proceeded with more activity and energy, called meetings in the several wards of the city, and most of the surrounding townships and districts in the county, and there in these primary assemblies elected delegates, to represent their wishes in a general conference. A considerable portion of this delegation immediately obeyed the patriotic call of their fellow citizens—met at the county court house, organized themselves into a systematised body under the name of the Washington Monument Delegation. They elected a president, vice presidents, and secretaries, and for the purpose of facilitating their measures, they divided themselves into committees, each having particular duties and various responsibilities. Although the delegation met with numerous difficulties, and had to encounter various and unforeseen obstacles in the prosecution of their duties, they persevered with a zeal and spirit worthy of the cause in which they were engaged and have advanced to the important point of this great work, in securing the laying of the corner stone of the Washington monument.

The further proceedings of the Delegation, together with the amount of monies which is available to complete the work, will, in due time, be laid before the public.

I shall now state the articles which are deposited in the Corner Stone, with the names of the donors, as far as ascertained:

DESCRIPTION

OF THE ARTICLES IN THE CORNER STONE OF THE WASHINGTON MONUMENT.

February 22, 1833.

1. A neat copy, containing the constitution of the United States, and of the State of Pennsylvania, with the names of the Executive Officers, Members of Congress, the Executive officers of the State, and of the Corporation of the City of Philadelphia, and an Almanac, for 1833. Presented by Isaac Elliot, Esq.

2. A copy of the oration on the death of Charles Carroll of Carrollton—by John Sergeant, Esq. Presented by Isaac Elliott, Esq.

3. A description of the Centennial Procession, as it occurred in 1832.

4. An Emblematical Sketch of the Centennial Celebration. By Wm. J. Mullen, Esq.

5. Washington's Farewell Address, on satin, presented by Committee of Arrangement.

6. A beautiful specimen of an Anthracite Case enclosing a Portrait of General Washington in 1797. Presented by the Messrs. Kerks.

7. A Silver Medal, struck off during the Centennial Procession, and presented by the gold and silver artificers for the corner stone.

8. Several specimens of Composition Coin, presented by Mr. William Robinson.

9. Several specimens of copper coin by several citizens, of the years 1771-2. 1771, 1791, 1797, &c.

10. A print representing the surrender at Yorktown, and a full statue of General Washington.

11. Several newspapers of the day.

12. The program of the procession for laying the corner stone, by the Committee of Arrangement.

In conclusion, fellow citizens, it is for you to complete the work, which has been so auspiciously begun,

—it is for you to supply the necessary funds to complete a monument to the memory of Washington, and it is for you to sustain, by an adequate support, the labors of your faithful and zealous delegation. And I sincerely hope that the time is not far distant when we shall all witness on this spot a cenotaph, which, for beauty and magnificence, shall be unsurpassed, and which shall, in ages yet to come, shed a lustre over the names of those, by whose liberality, gratitude, and patriotism, it shall have been erected.”

David Paul Brown, Esq. the orator on the occasion, then delivered a short, but most happy and eloquent address, which was received by all within hearing of his powerful voice, with repeated and animating cheers.

After the conclusion of Mr. Brown's speech, Bishop White addressed the people in the following words:

“Fellow Citizens,—

We are assembled to lay the corner stone of a monument, intended to be erected to the memory of the Father of our Country. So general throughout the world is the admiration of his virtues, that it will not be extended by this testimony of our gratitude. But the citizens of Philadelphia, while they are doing to themselves honor by the act, will be contributing their influence, whatever it may be, to the perpetuity of submission to his recorded counsels. This is especially desirable, whenever they have a bearing on the happy constitution under which we live; tending to the continuance of it to all future generations.

This being the object of our assembling, let us call on God by prayer, for his blessing on our undertaking. (Here the venerable prelate pronounced the Lord's prayer, the prayer after the communion, and those for civil rulers and Congress, and continued,) Almighty God, who hast in all ages showed thy power and thy mercy in the deliverance of states possessing thy holy and eternal truth, we render to thee our thanks and praise for the eminent services of the distinguished person, to whose memory we this day begin a monument, to remain a testimony of our gratitude in all time to come. In the counsels and in the acts of the deceased Father of our country, may there be an example, cherished and followed by all who shall come after him in the Presidency of the United States, in the command of armies, and in all stations of public trust; perpetuating the constitution of our now combined commonwealth against all invasion, and against all disunion, either from foreign force or from domestic discord. Finally we pray, that in all our doings we may seek thy glory, and the increase of thy kingdom, through Jesus Christ our Lord—Amen.”

The prayer concluded, the immense concourse assembled, dispersed in good order.

ORATION.

DELIVERED IN WASHINGTON SQUARE, PHILADELPHIA,

On the occasion of laying the CORNER STONE of a MONUMENT to WASHINGTON, February 22, 1833 By David Paul Brown, Esq.

I shall offer no apologies my fellow citizens, relating either to time or circumstances, for any deficiency that may be apparent in the discharge of that delightful duty, which has fallen to my allotment. In the magnitude of the object in regard to which we are here convened, all private, all personal considerations are utterly absorbed and lost. We have here assembled for the purpose of doing honor to the virtuous *living*, by rendering merited sacrifices, and affording becoming testimonials of our reverence to the illustrious *dead*.

How melancholy—how affecting—and yet how lovely and resplendent is the scene. Thousands of human beings who but for those virtues which we this day celebrate, might have dragged on a lengthened chain from their cradles to their grave, here spontaneously unite

in solemn ascription of praise to the character of that man, who burst their bonds, and taught them to be *free*. Mighty theme! The name of such a preserver should not be uttered feebly—need it be said then that I approach it, with humility and awe. No labor, no talents can do justice to that astonishing portrait, whose proportions and whose colours were so rare, so chaste and diversified; must I then declare, in the fleeting moment that these remarks shall occupy, my utter inability to delineate its outlines. Yet consolation is to be derived from the reflection, that as to succeed where success cannot possibly be doubtful, confers no honor upon any man; so, to fail where there is no hope of success reflects no disgrace, but to discharge our duties faithfully in the various relations of life in which we may be placed, is the height of human praise.

To commemorate the virtue, valor and patriotism of their kings, their heroes and their statesmen, has ever been the proudest and the noblest office of the proudest and the noblest nations. Greece had her Alexander, her Aristides, her Leonidas and her Epaminondas. Haughty Rome, at one time the proud mistress of the universe, boasted her Cincinnatus, her Fabius, her Scipio's and her Cæsars. The voice of eulogy, the page of history, monuments, mausoleums, trophies and triumphs, were the grateful testimonials to the splendour of their achievement, and the veneration of their countrymen. Emulation blazed high on every bosom, worth became sympathetic, and hereditary infancy caught the sacred flame, from the hallowed ashes of its ancestry, and in beholding the bright escutcheons of war and victory; the hatchments and the temples dedicated to eloquence and patriotism, the tottering and enfeebled limbs of hoary age itself, glowed and strengthened into the ardour and animation of second youth. All the diversified branches of these admirable systems of government, civil as well as military, contributed to inspire, to support and dignify the union, and while moving in their own respective orbits, like the inexhaustible luminaries of Heaven, reciprocally borrowed and reflected light.

Centuries have rolled away—thrones and dominions have been swallowed up in the revolutions of ages. The stately monuments of ancient glory, grandeur and gratitude, have either perished in the arms of tyranny, or sunk beneath the unsparring scythe of time. Greece is now extinct; and Rome is but the wretched fragment of glories past, that never shall return. Yet sanctified by the genius which they once fostered, the heroism which they once rewarded, the virtues which they once promoted, their flame shall endure forever, and set as they are in interminable night, they shall still throw a richer lustre over the horizon of the world, than the meridian fulness of other nations. Their former splendour emblazoned on the historic page, or sparkling from the rapturous pen of the poet—the proud recollections of Thermopylæ and Marathon, of Plataeæ and Fallerii, shall burst the surges of oblivion, bid a brave defiance to the mouldering incrustations of ages, and smile triumphantly through the wreck of matter and the crush of worlds.

If, then, those ancient States, in the zenith of prosperity and power, thus secured and cemented the means of their elevation—rewarded their benefactors by beneficence—stimulated patriotism, by deserving it—identified their own characters with those of their best, and bravest, and wisest sons, and thus secured to themselves imperishable renown:—What tribute will you pay to a Hero—beyond all Greek—beyond all Roman fame!—What deathless honors will you pay to confer upon your WASHINGTON, the deliverer of his country—the Founder and preserver of your republic—the friend of *man*—the soldier—the statesman—the patriot,—and embracing all, and still above all—the CHRISTIAN!—One who founded the structure of his greatness upon the unshaken principles of inherent truth, and, like Atlas, bore a world upon his shoulders, in the magnificence of his

own strength?—What a blaze of boundless glory shall his illustrious virtues shed, over, the long line of *your* posterity!!

Trained, and allured, and enticed to glory as former nations were,—glowing in original or reflected lustre—the delight, and the wonder, of an astonished, and subjugated world—Where is the Hero, ancient or modern, loaded with conquests, and bedecked with honors; where is *he*, I say, that does not tamely render all his garnered trophies up, at the hallowed and consecrated shrine of Republican WASHINGTON?

If this, be so,—without presuming to recapitulate the virtues of your Hero—which would be the history of his life, and which are engraven on the hearts of his countrymen,—may I not be allowed to say, my Fellow Citizens, that you have here assembled upon an occasion as magnanimous, as any ever presented by the tide of time, in its resistless and prolonged career. You have assembled for the two-fold purpose of perpetuating, by a munificent manifestation of your gratitude, the principles and examples of your Washington; and at the same time, redeeming yourselves from that odium which has arisen from protracted neglect of departed worth, or, national contempt, for national blessings!

After a Century has rolled round since the Birth of your Hero, and more than half that period has beheld you in the enjoyment of that Liberty which he achieved and secured,—you come at last to perform a solemn lustration for past delays; you come at last prepared to testify to your countrymen and mankind, that although gratitude may slumber in the heart of the patriot, for benefits conferred by the patriot, it can never *die*.

But let it not be supposed, that the perennial fame of Washington requires this offering;—this has ever been the error. It is not to prove his worthiness of us; but to establish our worthiness of him,—that this day has been set apart, and these ceremonials adopted. The stream rises no higher than its source; nor can you confer celebrity on one from whom your chief celebrity is derived. Hatchments and temples may atone for the sin of national ingratitude, enkindle emulation and secure the respect of our cotemporaries and of posterity, but they cannot give importance to Washington. The man who by his life exalted human nature, and gave dignity to the world, in death can neither be forgotten nor disgraced. The neglect of the nation no more obscures his lustre, than mists can extinguish the sun. The rancour of political enmity no more impugns his worth than the prevalence of vice, can detract from the value of virtue. The contempt of his ashes no more diminishes his fame, than vain and empty pageantry, can create or secure that of the unworthy.

Your storied urns and animated busts—are in themselves, but a solemn mockery of the illustrious dead—who look from their blest abodes for living memorials. It is not therefore by annual or centennial sacrifices or oblations upon the altar of liberty—the pride, pomp and circumstance of superficial, and artificial rites, that your obligations to the nation's father and benefactor, imperious, sacred and sepulchral as they are, are to be required or discharged—it is by your steadfast devotion to his principles—by your unqualified submission to his venerated example—by your watchful and undeviating devotion to the honour and integrity and salvation of the *Union*.

Monuments are intended not as a reward but as a token of esteem—they are consecrated—they are perpetuated by gratitude—not stateliness. It is the heart alone that can give warmth to marble and permanency to brass. The proudest trophies that bespeak the last abode of our Hero—are the blessings of his countrymen. His name requires not the foreign aid of ornament, scorns all borrowed lustre, and clothed in the radiance of his own large honors—stands self-dependent—and self-sufficient.

Time—which is said to be the *discoverer*, though it has even detected spots upon the Sun—the brightest of

celestial bodies—has in 100 years desecrated no stain or blot upon the peerless fame of Washington. Time, which is also said to be the *destroyer* of all things—has delapidated nations—sacrificed whole hecatombs of bloodstained chieftains, and gorged his ravenous maw with entire empires at a meal—but he has tired his tooth, and exercised his venom in vain, against the adamantine character of Republican Washington—Nay, foregoing as it were his very nature, for more than half a century, Time with us has been the Hero's only monument—bearing momentary testimony; at once to his unapproachable and irreproachable Glory. The convulsions, collisions, and vicissitudes of political Government,

The tests and touchstone of external honour,
By which alone its currency is heard,
And sterling coin distinguished from the false
Increase his weight—and stamp new value on him.

There is not upon the historic page, a solitary worldly instance, to be compared to that here presented to the mind—of the supremacy—the infallibility—may I not say the immortality of virtue. Even the very circumstance of the ostensible neglect towards his venerated memory—year after year—which but for late repentance should cover us with shame—although that neglect was sufficient to have buried eternally a man cast in any other mould—serves only to add infinitely to the proof, of his stupendous and overpowering worth. The clouds that would obscure other men serve but as a foil to set him off.

He stands as a fixed star in the firmament—imperishably too—and grows brighter as the tempest darkens. Steer by this star,—it is your polar star—the cynosure of your hope. My fellow-citizens, take his last living, loving legacy—his fare well address—for your chart. Be firm, be faithful, and be fearless, and like a rock amidst the troubled ocean, laugh at the billows and despise the storm.

Defer your intended offerings no longer. Let your tribute be committed to the earth—her broad bosom never bore a nobler. 'Tis an honest tribute, not paid to the living, but by the living to the dead. The face wears no mask when turned towards the grave—there is no hypocrisy in the tomb, or with the tomb. Ancient and modern annals combined supply no testimonials so sincere, so heartfelt, so transcendent as this. Honours lavished upon the living, are of frequent occurrence—but how rarely do they survive the living.

How many mighty and majestic minds
In after life, demolish the proud structure:
Elaborated and adorned by art,
With gems of science, trophies of the war,
Garlands of love, and spoils of great ambition,
Death is the crown or crucifix of fame.—

More than three hundred statues were erected by the Grecians to Demetrius Phalerius, which were all destroyed during the life of him whom they were intended to honor: and the records of nature and of nations abundantly show, that the monuments of the great depended more upon the continuance of their lives and memory, than their lives and memory upon their monuments. Nor is this the philosophy only of ages past. Europe, within the last twenty-five years, has rivalled the wonders of antiquity in her triumphant arches and monumental piles, rising to heaven and approaching its magnificence, in commemoration of the valor, the victories, the splendor, and the power of Napoleon. Where are these glories now? Banished, like the baseless fabric of a vision, leaving no wreck behind. They were demolished, even during the brief and bright career of their great original, and execrations and anathemas alone were heard, where Io pangs and songs of triumph were wont to make the joyous welkin ring. But the fame of our Washington, as it is restricted to no country, so it is limited to no time. Future ages shall

venerate his name—future millions shall erect the altar of liberty upon the irrefragable basis of his example—an example standing in bold relief upon the proudest pages of national glory, and relying for its immortality upon the smiles of approving heaven.

REPORT ON SLAVES IN PENNSYLVANIA.

IN SENATE.

The following preamble and resolution was referred to Messrs. Breck, Jackson, Smith, Petriken, and Sullivan.

“Whereas, it appears by the census of 1820, that the number of slaves in Pennsylvania was 211, and by the census of 1830, the number had increased to 386—

“Resolved, That a select committee be appointed to investigate the cause of this increase, and report by bill or otherwise.”

The committee on the foregoing subject, made the following report:

An explanation of the statements returned by the marshals of the two districts of Pennsylvania, of the slave population thereof, has been sought for by us, first, by an examination of the official tables of the census of 1830; and secondly, by personal application to one of the deputy marshals, who took the census of Dauphin county.

The general census of the state, shows an increase of slaves in Pennsylvania, in the interval of ten years, between 1820 and 1830, of one hundred and seventy-five; the former period giving 211, and the latter 386. So large an addition to a class of our population, which we had every reason to believe was nearly extinguished, has excited considerable attention, even beyond the limits of our commonwealth, and has become, in some degree, a reproach to the state. Our neighbours in New York, and citizens of other states, have asked through the medium of the public prints, how it happens, that while slavery has almost ceased to exist in the states north and east of us, the land of Penn., which took the lead in emancipation, and contains so many citizens of distinguished philanthropy; so many associations formed expressly for the promotion of abolition; so many friends of the African race, always on the watch to detect abuses, and ever eager to aid in correcting them, should exhibit an increase of slaves?

This question should be answered satisfactorily; and it is for the purpose of doing so, and of vindicating the honor of the laws of the commonwealth, as well as the characteristic philanthropy of its citizens, that your committee has thought it right to go into such details, as shall maintain, untarnished, the reputation of the governed and of those who govern.

Our forefathers, anxious to abolish slavery here, seized the earliest opportunity after their deliverance from the control of Great Britain, even in the midst of a calamitous war, to pass the act of March, 1780, by which the children of slaves, born after that date, are emancipated.

The reasons set forth for that great act of justice, in the memorable preamble to that law, are given in language so beautiful—with such humane and pious feeling, that we have ventured to make a short extract:

“It is not for us, [say they,] to inquire why, in the creation of mankind, the inhabitants of the several parts of the earth were distinguished by a difference in feature or complexion—it is sufficient to know that all are the work of an almighty hand; from whence we may reasonably, as well as religiously, infer, that he, who placed them in their various situations, hath extended equally his care and protection to all, and that it becometh not us to counteract his mercies. We esteem it a peculiar blessing granted to us, that we are enabled to add one more step to universal civilization, by removing, as much as possible, the sorrows of those who have lived in undeserved bondage. Weaned by a long course of experience from the narrow prejudices and partialities we had imbibed, we find our hearts enlarg-

ed with kindness and benevolence towards men of all conditions and nations, and we feel ourselves called upon to manifest the sincerity of our profession, and to give a substantial proof of our gratitude.”

The substantial proof of that gratitude, your committee have found recorded in the third and fourth sections of the law of 1780, to which the foregoing extract forms part of the preamble. In those sections it is enacted “that all persons, as well negroes and mulattoes as others, who shall be born within this state, from and after the first day of March, 1780, shall not be deemed and considered as servants for life, or slaves; and that all servitude for life, or slavery of children, in consequence of the slavery of their mothers, in case of all children born within this state, from and after the passing of this act, shall be, and hereby is, utterly taken away, extinguished, and for ever abolished; that every negro and mulatto child born within this state, after the passing of this act aforesaid, shall be deemed to be, and shall be, by virtue of this act, the servant of such person, or his or her assigns, who would in such case have been entitled to the service of such child, until such child shall attain unto the age of twenty-eight years.”

In consequence of this provision for their gradual emancipation, we do not find by the census of 1820, (forty years after the date of the act) any person reported to be held in bondage in this commonwealth, under twenty-six; and few under forty-five years of age; and all those who have taken an interest in the extinguishment of slavery here, very naturally looked to the census of 1830, as the epoch that was to put a period, or nearly so, to that unhappy state of things amongst our coloured population. What then must have been their astonishment, when the tables of the marshals of the two districts exhibited an increase, from 211 individuals, returned in 1820, to 386, returned in 1830!—scattered too over twenty-seven counties, and of ages under twenty-six, and even under ten! By what process was this brought about? Unless founded in error, it was manifestly a gross violation of the statute of 1780. It is the principal duty of your committee to explain this; and in endeavoring to do so, it will be necessary to advert to a misconception of that law, in Washington and other counties, by which the child of a servant, until the age of twenty-eight years, was held to servitude for the same period, and on the same conditions as its mother who was the daughter of a registered slave. This error was practised upon up to the year 1826; and was the means of wrongfully keeping in bondage many individuals, for several years beyond the legal period. At length, the Supreme Court settled the point definitely at Pittsburg, on the 26th September, 1826, in the case of Miller against Divilling, and decided that no child can be held to servitude till the age of twenty-eight years, but one whose mother was a servant for life, or a slave at the time of its birth.

There cannot now then be any pretence for keeping children, born in this commonwealth, at service, beyond the age of twenty-eight; nor would any such have appeared in the columns of the census of 1830, had not the two marshals, by their injudicious instructions to their deputies, directed them to enter as slaves all colored people of both sexes, who were held to service for limited periods. These deputies, as is apparent on the face of their reports, have strictly followed those instructions, and returned as slaves, even children under ten years of age who could not legally be held to service beyond twenty-one. As well might those officers have directed their assistants to register, as slaves, all white children apprenticed to trades.

This irregularity on the part of the two officers, has been the cause of reporting in twenty-seven counties

53	children under ten years.
192	individuals, aged from 10 to 24.
45	do from 24 to 36.
29	do from 36 to 55.

making an aggregate of 519, of whom only a very few of the last class could possibly be legally held as slaves; because the law of March, 1780, which declares all the children of slaves born in this commonwealth, after that date, free at twenty-eight, could not allow any person under fifty years of age to be held in slavery in 1830, so that a very few of the class between thirty-six and fifty-five, which in that year contained only twenty-nine individuals, could then be legally held in bondage.

The gradual decrease, at the four first periods at which the people of this nation were numbered, shows that no such ill judged instructions were then issued by the marshals to their deputies; for

In 1790—3737 slaves are returned.

In 1800—1706 do

In 1810—795 do

In 1820—211 do

and had not this palpable mistake been committed in 1830, by which the return is increased 175 in ten years, we should have had for the true number, *sixty-seven*, instead of 386; for these sixty-seven constitute the difference between the whole number returned in the census, and the number reported under fifty-five years of age. And this we find confirmed by the return made in the septennial state census in 1828, when the official computation was only seventy-six.

Your committee may therefore safely say, that at this day, being nearly three years after the additional census was taken, there cannot be more than sixty persons held as slaves in the whole commonwealth.

But are there not many coloured individuals, not born in Pennsylvania, and not of right classed as slaves, who are held to service for limited periods, even after the age of twenty-eight? In answer to this question, your committee will state such facts as have been communicated to them by persons well acquainted with the subject.

Negroes of all ages are brought in considerable numbers into the south western counties, bordering on Virginia, and emancipated on condition of serving a certain number of years, seldom exceeding seven, unless they happen to be mere children. About half the usual price of a slave, is paid for this limited assignment; at the expiration of which the individual obtains entire freedom, both for himself and such of his children as may be born in Pennsylvania.

In this manner, many colored people of both sexes are sent from the adjoining slave-holding states; particularly from the state of Delaware, and manumitted in this commonwealth. Deprived of this privilege, so advantageous both to the benevolent master, and unhappy bondsman, what alternative remains for the poor slave? None other than endless servitude, either in the place of his nativity, or among the cotton and sugar plantations of the south. Endless servitude, not only for himself, but for his children, from generation to generation. As a proof that Delaware and even Maryland, send their slaves here, it may be stated, that in Delaware the number of slaves has decreased in the last ten years, 1204, and in Maryland, 4520. Nevertheless, a doubt has arisen, whether it will be proper to allow this state of things to continue, or to provide by law against the introduction amongst us of that species of population?

On this subject, your committee beg to remark, that by the last census, our coloured inhabitants amounted to about 36,000; of which 30,000 inhabit the eastern district, and only 6000 the western—and this number, so small compared to the white population, is scattered among fifteen hundred thousand of our own color; making one black individual to forty-two white. So few of these, it is believed by your committee, need not at present be an object of uneasiness, and would not seem to require the enactment of any restrictive laws; more especially as they are for the greater part, industrious, peaceable, and useful people. It is enough for us to take care that the children born in our own common-

wealth, be protected against involuntary service, after the age of twenty-one, without preventing the humane or interested owners of slaves, born elsewhere, from manumitting them on our soil; and thus, after a short service, giving liberty to themselves and to those of their children who may be born among us; and who, did not their masters possess this facility, would be held, they and their unhappy offspring, in perpetual slavery.

Such a course then as would shut the door of philanthropic Pennsylvania to those who, from motives of humanity or interest, may wish to grant manumission to their slaves, could not but be repugnant to the feelings of every citizen within our borders. Believing this, your committee cannot recommend for the adoption of the senate, any measure that may tend to disturb the present usage, or that shall deprive a negro or mulatto, born a slave out of Pennsylvania, of a chance of obtaining his liberty, by a commutation of his personal services during a brief period, in this commonwealth, for those of perpetual bondage elsewhere.

In drawing up this report, our object has been principally directed to the means necessary for an explanation of the causes which led to the erroneous returns of the marshals; and we have, in making the investigation, ascertained them to be, as we think, such as are set forth in the preceding pages, and which we will, in conclusion, briefly recapitulate:

First: The illegal manner in which the grand children of the registered slaves of 1780, were held to service for twenty-eight years, in some parts of Pennsylvania, until the decision of the Supreme Court put a stop to it, in 1826.

Secondly: The practice along our southern borders, of buying slaves, born out of the state, from persons who manumit them in Pennsylvania.

Thirdly: The mode in which the census was taken, and which classes slaves, children and others, who are only held to service for a comparatively short period; after which they, and their offspring born in this state, become free for ever.

It will be gratifying to your committee, if they shall have been at all instrumental in removing the imputation, to which Pennsylvania seemed obnoxious, by the official act of the two marshals; and thus exonerating her from the stigma of fostering in her bosom, as it would appear by the census, a nursery of slaves. It is an opprobrium that nearly affects the character of the state; and is not the less injurious, because it is undeserved. The honor of our citizens, collectively and individually, is concerned in having it wiped away; and your committee flatter themselves, that by adopting this their investigation, which they respectfully and with great deference submit to the Senate, an official denial of the imputation may be considered as flowing from that act of approval and adoption.

CLEARFIELDTOWN, Feb. 14.

Internal Improvement—Philipsburg.—We understand, that the whole of the stock has been subscribed to the Philipsburg rail road. The important part of the work has been effected by the liberal and enterprising spirit of the proprietor of that town, who, we understand, has taken a large portion of the stock himself. This grand link in the chain of internal improvement, will place Philipsburg in a situation far superior to any other inland town in Pennsylvania. This we are warranted in saying, from the mineral wealth that is daily developing itself in its neighborhood. Bituminous coal, of the best quality, is in abundance in almost every hill; iron ore is being discovered in large quantities. The manufacture of fire-proof bricks (which are said to be of superior quality) is now in successful operation not far from Philipsburg; earth has also been discovered for the manufacture of stone ware; and, we have been informed by Mr. Wells, of Beccaria township, that he has discovered plaster on

his land, which, on trial, has proved to be good. Taking into consideration all the natural advantages the God of nature has placed in the vicinity of Philipsburg, we cannot for a moment doubt, that ere long, it will rise to an importance not inferior to any inland town in the United States. It has every advantage nature can bestow to facilitate manufactures of almost every description.

From the Pennsylvania Intelligencer.

COAL AND LIME.

Many of our farmers are not aware of the advantages of using anthracite coal in burning lime. The annexed letter communicates valuable information on this subject, and therefore the favor of a publication in your useful paper, is requested. The abundance of limestone in Pennsylvania, and the great utility, and increasing demand for lime, for the purposes of agriculture, render the use of coal in burning it, of the greatest importance.

Especially, it is highly interesting to all the old settled counties where timber is becoming dear, and where coal can readily be supplied by our canals and rail roads. It will be perceived that both coal and firewood are cheap where the letter is written.

"D—, February 14, 1833.

"Sir—Mr. J— M— is not at home, but in answer to your query, I reply, that you may depend upon the following statement:

"To burn one hundred bushels lime will require half a ton of coal, according to the method now used, say at \$3 per ton, \$1 50

"To burn the same quantity will require two cords wood, at \$1 75, 3 50

"So that in burning 700 bushels lime, there would be a saving of two dollars in every hundred bushels, making 14 00

"So well convinced am I, and I believe J. M—, Esq. of the truth of the above, that we without hesitation, prefer the use of coal, and I burn annually great quantities of lime.

"Another advantage is, that by burning with coal, we can keep on hand a constant supply of lime; whereas, by using wood, we cannot do so; because when the kiln is burned with wood, the lime must be all hauled off before we can renew, but by using coal we can continue burning and hauling at the same time.

Yours, sincerely,

"P— M— S—.

"To _____,
"Harrisburg."

EASTON, (PA.) March 1.

SOMETHING NEW.—We witnessed a few days ago at the Swan Tavern of Mr. John Burt of this place, something which certainly deserves to be recorded among the inventions and discoveries of the present day. Mr. B. has succeeded in the profitable desideratum of making his fire pay for itself, by burning coal and limestone together, in nearly equal parts. The fire must be kindled in the morning with pure coal, but through the day rather more limestone than coal is used. He thus saves several bushels of coal per week, and procures several bushels of lime. The process in stoves of the common construction is rather troublesome, as the lime must be taken out soon after it is thoroughly burnt, but Mr. B. hopes to construct a stove or cellar furnace which will answer a better purpose. To all appearances the stove emitted as much caloric as when filled with pure coal—the cylinder was as usual, in a red heat.

THE WEATHER.—A milder winter than the present has been, thus far, has not been experienced in so high latitude, for many years. About two weeks since, we had a fall of snow barely sufficient to make passable sleighing, for two or three days. At the same time the bay was frozen over so as to furnish fine sport for the skaters. The snow however disappeared in the early

part of last week, and the ice a few days after. The weather has assumed all the genial warmth of April; shop doors are thrown open; the roads are as muddy as can be desirable; no body comes to market, and the mails generally "arrive when they get here."—*Eric Observer.*

Sunday Schools in Pottsville.—There are at present in this place four Sunday Schools in successful operation, a detailed view of which is presented in the following statement.

	Scholars.	Teachers.	Library worth
A Presbyterian School			
containing	150	30	\$65 00
Methodist do	150	25	100 00
Roman Catholic	75	5	
Episcopal	100	12	35 00
	475	72	\$200 00
			<i>Miner's Journal.</i>

DIED, at Litiz, Columbia, the 16th Feb., after a short illness, the Rev. Abraham Reinke, in the 80th year of his age—a zealous and esteemed minister of the Gospel, of the church of the United Brethren, who during a clerical career of 50 years, has served at different periods the congregations of that church at Litiz, Nazareth, Lancaster, York, Pa. and Hope, N. J.

Mr. Henry Grubb recently died suddenly in Upper Dublin township, Montgomery county, at the age of 100 years 10 months and 9 days.

THE REGISTER.

PHILADELPHIA, MARCH 9, 1833.

There has been fine sleighing during the whole of this week. A fall of snow on Tuesday night, added a few inches in depth to what had previously fallen. The mildness of the weather for the last two days is causing the snow to disappear rapidly. The Delaware has been so much obstructed by floating ice as to impede the navigation for a few days.

The Senate have rejected the bill to call a Convention to amend the Constitution.

During the last week a service of plate has been presented to his Honor, the Mayor, in consideration of his benevolent exertions during the Cholera in the Arch Street Prison—and on Thursday, pieces of plate were presented by the Mayor, agreeably to resolutions of Councils, to the physicians-in-chief, of the Hospitals, during the Cholera. We have not room at present for the addresses, &c.

In the present number will be found Mr. Breck's report on the alleged increase of the slaves in our state as represented by the census. The error, we think, is satisfactorily accounted for. In Vol. IX. page 270, will be found some other remarks and calculations on this subject.

Hon. Joel B. Sutherland has been appointed by the Governor, Judge of the Court of Common Pleas, under the new law passed at the present session of the Legislature.

HAZARD'S REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

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BANK OF THE UNITED STATES.

Report of the Bank of the United States, to the Committee of Ways and Means of the House of Representatives—January 28, 1833.

The Committee of Exchange, to whom was referred, on the 15th instant, a letter from the Hon. G. C. Verplanck, chairman of the Committee of Ways and Means, of the House of Representatives of the United States, dated the 10th inst., apprising the Board of Directors that the Committee of Ways and Means intended, as early as possible after the 14th instant, "to consider the several subjects touching the Bank of the United States, referred to them by the House of Representatives, and requesting any information which the Board of Directors may think it important to communicate,"

REPORT:

That, having requested the Cashier of the Bank to visit Washington, for the purpose of learning the particular objects of inquiry, and having ascertained that they related to the late arrangement in regard to the three per cents—the condition of the debts in the Western States—and the general situation and solvency of the Institution—they submit for consideration, the following statement and views on these several subjects.

THE THREE PER CENTS.

One of the most important objects in the administration of the Bank, is to preserve the currency and credit of the country in a state of the greatest possible uniformity. The vibrations of business, and the usual irregularities of trade, in so extensive a territory, require constant care to preserve that uniformity in a system of currency so complicated as ours. But, in addition to these causes of fluctuation, an entirely new element is introduced into our monied system, by the extinguishment of the public debt. No country has ever yet paid off its debt; and no country, therefore, has had to contend with the inconvenience of accumulating, in the first instance, large amounts of revenue, and then throwing suddenly back upon the community these masses of capital. To do this without any sensible derangement of the business of the community, is a work of much labor. When the Government directs that, on a given day, a certain number of millions, lying scattered over the whole interior, shall be paid at a few places on the Atlantic, as there is never a previous accumulation of funds lying in the vaults of the Bank; but they are distributed in loans over the whole Union, it becomes necessary to concentrate them at the places of payment; and the difficulty lies in thus withdrawing from the community only what may be necessary, and for as short a period as possible. The success of the Bank in these operations, has attracted the attention of the officers of the Treasury, who witnessed them. Thus, Mr. Rush, in his Treasury report of the 13th of December, 1828, says:

"In conclusion, the mode of its agency in large payments of the principal of the debt, is not to be overlooked. By its arrangement for them, it avoids the inconvenience of too great an accumulation of money in the vaults of deposit used by the Government, and the vacuum that would succeed its too sudden distribution.

It does this by anticipating, as the periods of payment approach, the disbursement of a considerable portion of the stock, in the form of discounts, in favor of those who are to be paid off, thereby enabling them to employ their capital as opportunities may offer beforehand. In this manner, heavy payments of the debt are, in effect, made gradually, instead of the whole mass being thrown at once upon the money market, which might produce injurious shocks. So prudently in this and other respects does the Bank aid the operation of paying off the debt, that the community hardly has a consciousness that it is going on."

So, too, Mr. Ingham, in his letter to the Bank, of the 11th of July, 1829, already published, says:

"I take the occasion to express the great satisfaction of the Treasury Department at the manner in which the President and Directors of the parent Bank have discharged their trusts in all their immediate relations to the Government, so far as their transactions have come under my notice, and especially in the facilities afforded in transferring the funds of the Government, and in the preparation for the heavy payment of the public debt, on the first instant, which has been effected by means of the prudent arrangements of your Board, at a time of severe depression on all the productive employments of the country, without causing any sensible addition to the pressure, or even visible effect upon the ordinary operations of the State Banks."

And the President of the United States, in his Message to Congress, of December, 1829, says:

"The payment on account of the public debt, made on the first of July last, was eight millions seven hundred and fifteen thousand four hundred and sixty-two dollars and eighty-seven cents. It was apprehended that the withdrawal of so large a sum from the Banks in which it was deposited, at a time of unusual pressure on the money market, might cause much injury to the interests dependent on bank accommodations. But this evil was wholly averted by an early anticipation of it at the Treasury, aided by the judicious arrangements of the officers of the Bank of the United States."

It had thus become part of the settled policy of the Bank at the approach of any large payment, to begin its preparations for a long period in advance, so as to collect its means gradually and to distribute its disbursements over as wide a space as possible. The year 1832 presented a case of peculiar delicacy in regard not merely to the amount of debt redeemable, but to the situation of the country which was to pay it.

1st. The situation of the country was this. In one of those commercial movements incident to all free and active nations, the importations of the year 1831 were unusually heavy, owing principally to the state of Europe, and the close of that year found the country much indebted to Europe. The natural and inevitable corrective was to import less the next season, and in the interval to assist in the diffusion of these importations, and to facilitate their gradual consumption until the new crop furnished new means of paying for them. It was therefore especially desirable that during the year 1832, as little extraordinary claim as possible should be made upon our citizens, the importations of 1831 having made the exchanges unfavorable to the United States, and the great object of the Bank was to prevent any addi-

tion to the foreign demand until after the fall of 1832.

2d. In this state of things, the payments on account of the funded debt in the year 1832, were to be for principal and interest \$18,080,057 46.* Of this \$1,739,524 01 of the principal had been paid on the first of April, and

There remained of the principal \$15,236,595 56, of which between eight and nine millions were owned by Europeans, thus adding to the commercial claims that amount of extraneous demand on account of the public debt.

Under these circumstances, the Board of Directors thought it necessary to begin early to make their arrangements, and accordingly the following proceedings took place.

"Bank of the United States, March 13, 1832.

"At a meeting of the Board of Directors held this day, the following gentlemen present, viz:—N. Biddle, President; Messrs. Sullivan, Bohlen, Pratt, Neff, Coleman, Platt, Willing, Bevan, Eyre, White and Henry. The President submitted to the Board his views in relation to the probability of the redemption by the Government in the course of the present year, of a large portion of the three per cents of the United States, more than one half of which stock, he stated to be held by foreigners, the magnitude of whose claims upon this Bank might possibly expose the community to great inconvenience, unless some measures should be adopted for deferring a part of the payments that may be required, and suggested the expediency of empowering a committee of this Board to enter, for that purpose, into such arrangements with the holders of that Stock as might combine the interests of the Bank with those of the public.

Whereupon it was on motion,

Resolved, That the subject of the communication just made by the President, be referred to the Committee of Exchange, with authority to make on behalf of the Bank, whatever arrangements with the holders of the three per cent stock of the United States, may in their opinion best promote the convenience of the public and the interests of this institution."

This reference to the Committee of Exchange, was considered especially appropriate, because the payment of the foreign stockholders was connected with the foreign exchanges, and because to this Committee had always been referred all the large monied operations of the Bank requiring confidential and prompt action.

It has been for a series of years, the uniform practice of the Bank to refer such negotiations to some small committee, and since the permanent organization of the Exchange Committee, that has been selected for such objects: Thus

Extract from the minutes of the Bank U. S., August 27th, 1819.

"PRESENT—Langdon Cheves, President; Messrs. Biddle, Fisher, Sergeant, Lippincott, Coulter, Lisle, Calhoun, Connell, Lamot, Dugan, Schott, Toland, and Potter.

"The following among other resolutions were adopted:

"1st, That a secret committee of three members be

* Total payments of principal 31st December, 1831,	\$7,539,335 29
Payments on the first of April, 1832,	1,739,524 01
	\$9,278,859 30

October 1832, and the first of January, 1833—principal and interest	15,236,595 56
	\$24,515,454 86

An actual payment between the 31st December, 1831, and first January, 1833, of nearly twenty-five millions in twelve months.

appointed, who, together with the President, shall be authorized to effect a loan for a sum not exceeding three millions, for a period not exceeding three years, and that they be authorized to pledge a sum not exceeding three and a half millions of five per cent stock belonging to the Bank, to secure the said loan.

"The Committee was appointed, consisting of Messrs. Biddle, Fisher, and Sergeant, with Mr. Cheves, by whom Mr. Cadwalader was sent to Europe, and made with Messrs. Barings the loan."

"Bank United States, 16th July, 1822.

"PRESENT—Langdon Cheves, President; Messrs. Willing, Cope, Flemming, Coxe, Lippincott, Whitney, and Brugiere.

"On motion,

"Resolved, That the subject of remitting the balance of the loan due in Holland, directly or indirectly, be referred to the Foreign Exchange Committee, with authority to take the necessary measures."

"Bank United States, 29th April, 1823.

"PRESENT—N. Biddle, President; Messrs. Dupont, Fisher, Cope, Pratt, Willing, Coulter, Lippincott, Coxe, Whitney, and Henry.

"Mr. Cope, from the Committee on Foreign Exchange, reported the following resolution, which was adopted.

"Resolved, That the President and Cashier are hereby authorized, in conjunction with the Exchange Committee, to make such arrangements as they may judge expedient, with regard to the account of the Bank, with Messrs. Baring, Brothers & Co., of London."

"Bank United States, July 22d, 1823.

"PRESENT—N. Biddle, President; Messrs. Dupont, Fisher, Cope, Pratt, Coulter, Bohlen, Whitney, Cadwalader, and Willing.

"The Committee of Foreign Exchange, in conjunction with the President and Cashier of the Bank, were authorized to dispose of the five franc pieces on hand belonging to the Bank, at such rates as they may think for the interest of the institution."

"Bank United States, Dec. 2d, 1823.

"PRESENT—N. Biddle, President; Messrs. Connelly, Dupont, Cope, Pratt, Lippincott, Bohlen, Coxe, Whitney, Willing, and Henry.

"Mr. Cope, from the Committee on Exchange, offered the following resolution, which was read and adopted.

Resolved, That the executive officers of the Bank in conjunction with the Exchange Committee, be, and they are hereby authorized to operate in exchange by the sale of bills of this Bank, or of bills drawn upon it, in such manner as they may deem most for the interest of the institution."

"Bank United States, March 30th, 1824.

"PRESENT—N. Biddle, President; Messrs. Eyre, Cadwalader, Henry, Brown, Bohlen, Willing, Wetherill, and Evans.

"The President communicated to the Board the opinion of the Counsel of the Bank, on the subject of the sale of Bank Stock, which has been hypothecated to the Bank, and forfeited.

"Whereupon, on motion,

"Resolved, That the Committee on Foreign Exchange, be authorized to make such disposition of the forfeited Bank Stock, as they may deem expedient."

"Bank of the United States, April 22d, 1824.

"PRESENT—N. Biddle, President; Messrs. Dupont, Eyre, Bohlen, Henry, Whitney, Lippincott, Clapier, Beck, Brown, Evans, Willing, and Potter.

"On motion,

Resolved, That the Committee on Foreign Exchange be authorized, with the officers of the Bank, to negotiate for the sale of Spanish dollars."

"Bank United States, November 27th, 1824.

"PRESENT—N. Biddle, President; Messrs. Eyre, McKim, Whitney, Willing, Cadwalader, Henry, Clapier, Wetherill, Brown, Evans, Colt, and Verplank.

"On motion,

"Resolved, That the Committee on Exchange be authorized to adopt such measures as they may deem expedient, in relation to the loan of five millions."

"Bank United States, January 6th, 1826.

"PRESENT—N. Biddle, President; Messrs. Dupont, Eyre, Beck, Brown, Evans, Weir, Cox, Bohlen, Pratt, and McIlvaine.

"On motion of Mr. Eyre,

Resolved, That the Exchange Committee be authorized to dispose of so much of the United States and Bank Stock, as may seem to them for the interest of the Bank."

"Bank United States, January 16th, 1827.

"PRESENT—N. Biddle, President; Messrs. Cope, Weir, Fisher, Bohlen, Pratt, Cadwalader, Willing, Toland, A. White, Bevan, and Hemphill.

"On motion of Mr. Toland,

"Resolved, That the Committee of Exchange be authorized to negotiate with the Government of the United States for the whole, or any part, of the sum which it proposes to borrow, on such terms as they may deem most for the interest of the Bank."

"Bank of the United States, 27th March, 1827.

"PRESENT—N. Biddle President; Messrs. Cope, Fisher, Bohlen, Pratt, Willing, Toland, A. White, and Hemphill.

"On motion,

"Resolved, That the Committee of Exchange be authorized to make whatever arrangements they deem most for the interest of the Bank, in regard to discounts upon certificates of funded debt of the United States, that may become payable on the first of July next, at a rate different from that of the ordinary discounts."

Thus appointed in the accustomed manner by a large meeting of the Board to execute this important trust, the Committee immediately commenced, by negotiating with the agent of a numerous body of European stockholders, who owned \$1,700,000 of the three per cents, and another, who, represented nearly one million of dollars. With neither of these, however, could any arrangement be effected; the parties especially represented by the former, preferring to wait till the period of actual reimbursement before they decided on the disposal of their funds. In the mean time the Treasury Department having applied to the Bank for its opinion as to the expediency of making a payment of six millions on the first of July, the opinion given was, that it would be better for the country not to make such a pressure on its resources at that moment, and the payment was postponed, the Bank consenting to allow the government the quarter's interest during the interval. From that period the whole operations of the Bank were directed to the gradual withdrawal of all the surplus means of the Institution from the points where they could be spared, and the accumulation of them in the northern Atlantic cities, where the payments were to be made, and also in Europe, so as to provide the means of payment there, to the foreign stockholders who might desire the transmission of them to their respective homes. The result of these preparations was, that by the month of October, the Bank had concentrated at these points, means fully adequate to pay the whole amount of funded debt payable at that period without the slightest inconvenience to itself. On that day the State Banks of Philadelphia, New York, and Boston, owed to the Bank,

\$3,280,000

Its specie, at these places, amounted to 3,200,000

It had paid off all its foreign debt, amounting, in May, to 1,878,000, and had in Europe, a balance of

2,982,000

Making, of cash means,

8,462,000

With an open credit in Europe, on which to draw, for

2,500,000

Besides large sums falling due in those places, remitted from all the distant points, and local loans immediately available in October and November, to the amount of many millions—while the amount of the public debt reimbursable in October, was \$8,634,988 37. In this state, the bank, had it considered only its own interest, would have been perfectly passive, since it was perfectly at ease. But it had other and higher interests to consult. From the communication with the Treasury, in July, it was probable that the funds of the Government might be insufficient to pay the debt advertised to be paid—and that even if these funds were adequate, the operation would exhaust all the means of the government, and require that the community should repay the whole amount of the public funds distributed among them. It was further manifest that the ability of the Government to meet its engagements depended entirely on the punctual payment of the revenue in the commercial cities, from July to January, which was estimated at about twelve millions of dollars.

That resource was threatened with the greatest danger by the appearance of the Cholera, which had already begun its ravages in New York and Philadelphia, with every indication of pervading the whole country. Had it continued as it began, and as all the appearances in July warranted the belief of its continuance, there can be no doubt it would have prostrated all commercial credit, and seriously endangered the public revenue, as in New York and Philadelphia alone, the demand on account of the foreign three per cents was about five millions.

The condition of the Treasury is seen in the letter of the Secretary of the Treasury, to the President of the Bank, dated July 19th, 1832, as follows:

"Treasury Department, 19th July, 1832.

"Sir,—It was not until to-day that I have been able to ascertain the amount of the appropriations made at the last session of Congress; and, therefore, I have not been able to decide, before now upon the amount of the three per cents to be redeemed on the first of October. I find, as was supposed when you were here, that we shall be able to pay off about two-thirds at that time. A notice will accordingly be given in to-morrow's paper, for the payment of that amount on the first of October, and the remaining one-third on the first of January. This has been done with the understanding had between us, that if it should happen that the public moneys are insufficient to complete those payments, the Bank will delay the presentation of any certificates of which it may have the control, until the funds are sufficient to meet them; the interest to be paid by the United States during the interval. You will be pleased to indicate such transfers of funds as may be desirable preparatory to the proposed payments.

"I am, &c.

"LOUIS M'LANE
Secretary of the Treasury.

"N. BIDDLE, Esq.

"President of the Bank of the United States."

To which, the following answer was given:

"Bank of the United States, July 26, 1832.

"Sir,—I have had the honor of receiving your letter of the 19th instant, apprising me of your intention to reimburse two-thirds of the three per cents on the first of October, and the remaining third on the 1st of January. You further state that this course has been adopted with the understanding had between us, that, if it should happen that the public moneys are insuffi-

cient to complete those payments, the Bank will delay the presentation of any certificates of which it may have the control until the funds are sufficient to meet them.

"The Bank has taken the necessary steps to obtain the control of a considerable portion of these certificates, and will very cheerfully employ it in such a manner as may best suit the convenience of the government.

"I have the honor to be,

"Very respectfully, yours,

"N. BIDDLE, President.

"Hon. LOUIS M'LANE,

"Secretary of the Treasury, Washington, D. C.

This letter of the Secretary communicated the facts previously understood by the Committee, of the probable exhaustion and possible deficiency of the public funds, and confirmed them in the expediency of the measure which they had adopted.

It rendered it still more probable that the Bank might be called upon to make advances for the Government, analogous to those which took place in the year 1820, at the time when the Louisiana loan held in Europe, was reimbursable. On that occasion, the following proceedings occurred as detailed in the minutes.

"*Bank United States, 10th Oct. 1820.*

"Present—Langdon Cheves, President; Messrs. Eyre, Rundell, Lippincott, Willing, Astley, Wetherill, Kuhn, Weir, and Potter.

"The President laid before the Board a private correspondence between him and Edward Jones, Esq., Chief Clerk of the Treasury Department, in which that officer states that the Treasury will not have the means of paying the balance of the Louisiana stock redeemable on the 21st instant, and requests to know whether the Bank can advance the amount to the holders of the stock, or their agents, in such a manner as to save the public credit, and to satisfy the holders. Whereupon the Bank agreed to advance 1,500,000 dollars to the stockholders, and withhold the stock until the Government had the funds to pay it."

The proposed division of the payments between the months of October and January, announced in the letter of the Secretary of the Treasury, the only circumstance not previously known to the Committee, was, therefore, communicated to the agent as a fact that would facilitate his negotiation, with this remark. "The subdivision, by weakening the expected pressure on the first of October, makes the Bank less anxious about that event. But in the present state of the country, while the whole monied concerns of the community are threatened with confusion by the spread of the pestilence, the Bank is so desirous of keeping itself in an attitude of great strength to interpose, if necessary, for the relief of the sufferers, that it is content to submit to any merely pecuniary sacrifice, to secure that object. The notice of the Secretary of the Treasury will therefore make no difference in your instructions, as they are so shaped as to provide for this contingency by making the postponement to a certain term after the payment that may occur."

It was with a full view of all these circumstances—the commercial state of the country—the prevalence of the cholera—and the probability of some advance to the Government, that the Committee, having ascertained that the agents of the foreign stockholders were not empowered to make any arrangements, resolved to transfer the negotiation to Europe, and accordingly they requested the same gentleman who had made a similar arrangement in the year 1819, to proceed to England for that purpose.

His instructions, with the correspondence of Messrs. Baring, Brothers, & Co., which followed, are annexed to this report. It was the expectation of the Committee, that a postponement of a few months, until the cholera had subsided, would have been sufficient, but as the foreign stockholders might be unwilling to make

a loan for a less time than twelve months, authority for that purpose was given.

On hearing of the arrival of the agent in Europe, and of the certainty of an arrangement for the postponement of a portion of the foreign debt, the preparations of the Bank were so advanced, as to justify an extension of increased facilities to the community, as will be subsequently detailed. But when the contract itself reached the Bank on the 12th of October, and it appeared from the communication of Messrs. Baring, Brothers, & Co., to be contemplated that the stock was to be purchased on account of the Bank, they were immediately instructed on the 15th of October, that the Bank had no authority to become owners of the stock, and that it was necessary in order to close the accounts of the Government, that the certificates should be actually in possession of the Bank—and they were requested to reimburse themselves if desirable, out of the funds of the Bank, and to transmit all the certificates. This is accordingly now in progress, the successive arrivals from England bringing portions of them. Thus,

The whole amount purchased, was	\$1,798,597 57
The whole am't. agreed to be deferred	2,376,481 45

Making an aggregate of	\$4,175,079 02
For which certificates are already received to the amount of	1,534,446 46

Leaving	\$2,650,632 56
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The progress which has been made in the payment of the whole public debt, with the actual preparations of the Bank to meet the remainder, will be seen in the following statement:

The total payments of principal to be made in October and January are	\$15,236,595 50
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Of which are distributed among the smaller Loan Offices, and all paid there, except some small sums fully provided for	\$1,262,885 00
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Leaving at the Loan Offices of Boston, New York, Philadelphia, and Baltimore,	13,973,710 50
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Of these 13,973,710 50, the domestic and foreign stock has been paid, except what has not yet been called for, amounting to	1,011,639 00
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Of the purchased, and deferred foreign stock, amounting to	4,175,000
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Certificates have been received to the amount of	1,524,000
Leaving outstanding	*2,651,000 00

Making the total of foreign and domestic stock, for which certificates have not been received	3,662,639 00
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The preparation for the payment of these is as follows:

The outstanding foreign and domestic stock not included in the arrangement of the Bank is	1,011,639
Add what may be at the smaller offices yet unpaid	221,750
	1,233,389 00

For which the Bank has at Boston, New York, Philadelphia, and Bal-	
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* While this Report is in the press, February 1, 1833, certificates have been received, or are known to be on the way, to such an amount, as to reduce the actual balance outstanding to \$1,233,000. See Appendix.

timore—debts from the City Banks to the am't of	939,000 00	
And specie	4,264,626 89	
Making		\$5,203,626 89

The amount of purchased and deferred stock for which certificates have not yet been received is \$2,651,000; but as among the certificates forwarded, there are to the amount of \$380,000, which cannot be paid for want of powers of Attorney, the amount of the purchased and deferred stock yet unpaid is 3,031,000 00

To pay this the Bank has in the hands of its foreign correspondents, at the present rate, at which it could be drawn for 3,250,000 00

The general result is, that the whole of the fifteen millions are paid, or provided for, and will be finally extinguished without causing the slightest inconvenience, and without in the least deranging the business of the community. What is moreover equally remarkable and satisfactory is that by breaking the force of this foreign demand, and assuming it by the Bank, the exchanges with England and France, instead of being forced up, to rates at which inconvenient shipments of specie might have been made, have from the month of July last kept uniformly at rates not above the actual par of exchange between this country and Europe.

It has been already stated that the design of the arrangement in Europe was to prevent any pressure on the community. The cessation of the cholera made that pressure less severe, but under any circumstances the accumulation of so large a sum might disturb some of the branches of industry, and accordingly as soon as it was known that the Agent had arrived in England, and that an arrangement of some kind would be accomplished, no time was lost in communicating to the Board the fact that the preparations of the Bank were such as to make it practicable to resume the usual facilities to the community. The subject was therefore immediately brought to the view of the Board in the manner stated in the following extract from the minutes.

"Bank of the United States, Sept. 21, 1832.

"Present—N. Biddle, President; Messrs. Lippincott, Bohlen, Neff, Willing, Bevan, Sullivan, Pratt, Platt, Eyre, White, and Henry.

"The President laid before the Board a statement of the amount of the three per cents, of the United States to be paid off on the first of October, and explained the situation of the Bank and Offices in relation thereto, showing the ample resources which have been accumulated to meet the payment at various points, by means of the policy which has been pursued for some time past. He suggested also to the Board the propriety of considering, now that the Bank occupied so favorable a position, whether some relaxation in that policy might not be advantageously made.

"Whereupon it was on motion

"Resolved, That the Committee on the Offices be authorized to modify the instructions under which the Offices of the Bank have been acting, at such points and in such manner as they may deem most conducive to the interests of the Bank."

Instructions were accordingly addressed to such of the Western Offices, as would most sensibly feel the restrictions, authorizing them to resume the purchase of domestic exchange, and draw checks on the Bank. In the same spirit similar instructions were given to the Office at New York, the situation of which presents the best illustration of the measure in question. On the 29th of September 1832, the State Banks were indebted to the Office at New York \$1,920,000, and the sums falling due and payable at the Office for October and November were of domestic bills \$2,670,000 and of

local discounts \$4,414,000, making an aggregate of more than seven millions. The sums actually payable to the Government in the months of October and November for revenue were \$3,225,277 85. But while the State Banks were in debt to the Office, it was impossible for them to discount freely, and the Office itself with an impending demand of several millions, a great portion of which was payable to foreigners, was obliged to husband its resources for these payments. The month of October was therefore regarded as a month of great embarrassment. Fortunately the arrival of the intelligence of the arrangement came in time to enable the Bank to avert it by the following instruction.

Bank United States, Oct. 2, 1832.

Dear Sir,—The preparations for the payment of the public debt, on the first instant, are so ample that no inconvenience is apprehended from them at the Bank, or any of its Offices, and after all the immediate demands on that account are discharged at your office, it will still, in all probability, be very largely a creditor of the State Banks in the city. This state of things naturally presents for consideration the course which the Office should pursue towards them and towards the community.

In the present condition of the exchanges with Europe, there will probably be no demand for specie, and it would therefore be unnecessary to call upon the state Banks for payment in that form of their balances—that being a measure to be avoided, unless to replace what may be taken from the Office, should any demand be made upon it. But while the balances continue thus heavily against the State Banks, they will be unable or unwilling to do much business, and the Office will therefore have an opportunity of giving to the community such facilities as these State Banks have it no longer in their power to furnish. A large portion of the debt from them to the Office may thus be absorbed in good paper, payable on or about the first of January next, when another payment on account of the public debt will be made. I therefore, take the earliest opportunity after ascertaining the probable demands against the Bank, on account of these payments, to submit to the consideration of the Board the expediency of employing a portion of the surplus funds, now in the form of balances from the State Banks, in the discount of such paper as may give facilities to the business of the city. The funds will be thus very usefully and profitably employed, until they are wanted, and a great accumulation of bank balances be prevented.

Very respectfully yours,

Signed, N. BIDDLE, President.

ISAAC LAWRENCE, Esq.

Pres't Off. Dis. and Dep. N. York.

The President of the Office answered as follows in his letter of the 4th of October, 1832.

"Your letter had the desired effect of inducing the Board to increase our discounts on good paper payable about the first of January, and on different stocks, payable about the same time. This will enable us to aid the community, reduce the balances due from the city Banks, and be profitable to the institution." I am, &c.

Signed, ISAAC LAWRENCE, President.

And the Cashier wrote as follows:

October 3, 1832.

"Our offering to-day was \$750,000; our receipts \$295,000 and discounts, including \$170,000 on three per cents and \$135,000 on other stocks, \$551,000. The Banks are in our debt \$1,540,000; and we have paid of the three per cents \$1,100,000, or about that amount."

The Committee have entered into this explanation in order to show the operations of the measure confided to them in all its details. On reflecting upon the whole course of it with all the information which subsequent

events have supplied, they are entirely satisfied that the measure has been highly beneficial to the community as well as to the Government, and that, so far from protracting the settlement of the accounts of the Government, they will, in fact, be brought to an earlier termination than if the arrangement had not been made.

To be continued.

INSTRUCTION OF THE BLIND.

At an adjourned meeting of the friends of this interesting object, held at the Philosophical Hall, February 21, 1833, Peter S. Du Ponceau, Esq. in the chair, John Vaughan, Secretary,

Mr. Roberts Vaux, from the committee appointed at the former meeting, submitted their report, which was accepted, viz.

The undersigned, appointed at the meeting of a number of citizens to establish a school for the blind, held on the 21st of January, respectfully report—

That in conformity with the instructions given them, they transmitted a copy of the proceedings to the Councils of the city of Philadelphia, who referred them to the committee charged with the care of the Wills Legacy. An interchange of opinion with those gentlemen, whilst they fully approved of, and were disposed to promote the object, led however to the conclusion, that the intention of the benevolent individual for whom the corporation is trustee, would not allow the application of his bequest for the instruction and care of the blind, according to the proposition offered. The declared purpose of the testator in appropriating his estate, being to erect and maintain a *hospital* for the blind and lame.

Failing in that quarter to accomplish the contemplated design, your committee have, in further compliance with the duties assigned them, prepared an essay of a constitution, which is herewith submitted.

They are of the opinion that a disposition exists among many of their fellow citizens, voluntarily to contribute the amount needful to warrant the formation of an institution for the intellectual cultivation of the blind, on a small scale, as an experiment. They trust that an early and efficient attention to this interesting work, in providing funds, &c. will enable the Association to secure the services of J. R. Friedlander as the Principal, without whom the plan will be entirely frustrated. This talented and estimable gentleman has remained several months in our city, anxious to devote his knowledge to this valuable pursuit, and if an engagement be not soon formed, he will feel himself at liberty to accept employment offered to him from various other quarters.

Impressed with these considerations, your committee earnestly recommend the immediate organization of an association on the principles suggested.

PETER S. DU PONCEAU,
JOHN VAUGHAN,
ROBERTS VAUX,
J. FRANCIS FISHER.

Philadelphia, Feb. 21st, 1833.

The Essay of a Constitution mentioned in the report of the committee was read, as follows:

We, the subscribers, desirous of laying the foundation of an institution for the instruction of blind persons, in intellectual knowledge and mechanical arts, associate for that purpose under the following Constitution.

Art. 1.—Its title shall be, The Pennsylvania Institution for the Instruction of the Blind. It shall be located in Philadelphia.

Art. 2.—The Institution shall be supported by donations; by legacies;* by such aid as the Legislature may

* *Form of a Legacy.*—I hereby give and bequeath unto THE PENNSYLVANIA INSTITUTION FOR THE INSTRUCTION OF THE BLIND, located in Philadelphia, and their successors for ever (if real estate) all that, &c., (if personal) the sum of, &c.

be pleased to afford; by payments for the education of the children, by the parents, or others who may be willing to make them; by annual, or by life subscriptions of the members.

Art. 3.—Any person may become a member who shall agree to this constitution, and pay in advance a sum not less than three dollars per annum; or in lieu thereof, a gross sum not less than thirty dollars, which shall constitute him a member for life.

Art. 4.—The officers of the Institution shall be a Patron, who shall be the Governor of the State for the time being; a President, four Vice Presidents, a Corresponding Secretary, a Recording Secretary, a Treasurer, a Consulting Physician, and two Visiting Physicians, and a board of twelve Managers. The officers to be, ex officio, members of the board. There shall also be six Female Visitors, to be chosen by the managers; whose duties, as well as those of the officers, shall be such as are implied by their titles, or pointed out by this constitution, or by the laws and by-laws which may hereafter be adopted. But the number of Vice Presidents may be increased by the by-laws as circumstances may require in extending the benefits of the Institution throughout the state.

Art. 5.—The Board of Managers shall meet once at least in every month, when the President; or if absent, a Vice President in rotation, or if both absent, a chairman appointed by the members shall preside, and shall have a casting vote when the members are equally divided on any question. The managers are empowered to provide a building for the accommodation of the Institution; appoint the Instructors and all other agents needful for carrying the plan into full effect; may make by-laws and such other regulations as may be necessary and are not inconsistent with this constitution, and in case of the death or resignation of any of the officers, may fill the vacancies to serve till the next annual election. They shall make a report to the Association at the annual meetings convened for that purpose, and for the election of officers, which shall take place on the first Monday in the month of March of each year after the present one.

Art. 6.—The Secretaries and Treasurer shall keep regular books of their transactions, and the last mentioned shall, at the annual meeting of the association (or oftener if required by the association or the managers,) furnish a statement of his accounts, which shall be previously examined by a committee of the managers to be appointed for that purpose.

Art. 7.—All by-laws made by the managers must be proposed in writing at one meeting, and adopted at a subsequent meeting, to become binding.

Art. 8.—A meeting of the Association may be called by the managers when deemed necessary by them, or whenever they shall be required to call one by an application signed by twenty-members.

Art. 9.—Amendments or additions to these articles may be made by this Association at the annual meeting, or at a public meeting of the Association summoned by one month's public notice of the intention to change the same, and such alterations must be adopted by two-thirds of the members present, there being at least twenty-one members present.

On motion, it was resolved, that Peter S. Du Ponceau, John Vaughan, Roberts Vaux, Edward Coleman, Nathan Dunn, John Miller, jun., Thomas Astley, Dr. Wm. Gibson, Dr. Caspar Morris, William Y. Birch, Alfred Elwyn, and J. Francis Fisher, be a committee to receive subscriptions and donations to the funds of the Institution.

Resolved, That the committee who prepared the report, be authorized to call the contributors together to elect the officers of the Institution as soon as they deem the same advisable.

Ordered, That the proceedings of this meeting be published.

PETER S. DU PONCEAU, Chairman.

JOHN VAUGHAN, Secretary.

At a meeting of the contributors to the Pennsylvania Institution for the instruction of the Blind, held at the Philosophical Hall, on Tuesday, the 5th of March, the following persons were elected officers of the Institution—

- Patron—The Governor of the State.
President—R. R. Bp. Wm. White, D. D.
Vice Presidents—P. S. Du Ponceau, Wm. Y. Birch, Roberts Vaux, Edward Coleman.
Treasurer—John Vaughan.
Corresponding Secretary—Joshua F. Fisher.
Recording Secretary—Jacob Snider, Jr.
Consulting Physician—Philip S. Physick, M. D.
Visiting Physicians—Wm. Gibson, M. D., Caspar Morris, M. D.
Managers—Nathan Dunn, John A. Brown, Joshua Lippincott, Robert Maxwell, J. K. Mitchell, M. D., A. D. Bache, Thos. Astley, C. D. Meigs, M. D., Richard Price, B. W. Richards, Alfred Elwyn, John Miller, Jr.

METEOROLOGICAL REGISTER.

Extract from the Meteorological Register, taken at the State Capitol—Harrisburg, Pennsylvania,

By JAMES WRIGHT, Librarian.

JANUARY, 1833.

Days of the Month.	Days of Week.	Morning temperature.	Noon temperature.	Even. temperature	Mean temp. of day	WINDS.
Thermometer.						
1	Tuesday	55	55	56	55	S W
2	Wednesd	40	51	51	47	E
3	Thursd'y	45	51	52	49	N E
4	Friday	40	50	55	48	S E
5	Saturday	46	61	66	58	W
6	Sunday	58	65	60	61	N W
7	Monday	43	46	42	44	N W
8	Tuesday	29	32	30	30	N
9	Wednesd	30	40	44	38	S W
10	Thursd'y	33	31	28	31	N W
11	Friday	13	20	21	18	W
12	Saturday	19	25	25	23	W
13	Sunday	19	38	29	29	S W
14	Monday	29	39	39	36	W
15	Tuesday	29	39	38	35	S E
16	Wednesd	43	43	33	40	W
17	Thursd'y	15	20	21	19	W
18	Friday	18	32	38	29	W
19	Saturday	26	35	33	31	S E
20	Sunday	32	40	42	38	S E
21	Monday	34	42	41	39	S E
22	Tuesday	33	45	44	41	S E
23	Wedne'y	41	43	41	42	E
24	Thursd'y	39	39	34	37	N E
25	Friday	37	43	40	40	W
26	Saturday	27	33	34	31	W
27	Sunday	32	37	40	36	W
28	Monday	36	42	37	38	N W
29	Tuesday	31	37	36	35	N
30	Wednesd	36	45	45	42	N E
31	Thursd'y	38	36	30	35	N

Thermometer.					
Maximum on the 6th,	-	-	-	-	61°
Minimum on the 11th	-	-	-	-	18°
Difference	-	-	-	-	43°
Mean	-	-	-	-	38°
Time of observation, 9 o'clock, A. M., 1 and 5, P. M.					

Atmosphere.													
Days of the month.										Morning	Afternoon.		
3	4	5	6	7	14	17	26	8 days	Fair	Fair			
9	18	27							3 days	Fair	Cloudy		
1	2	8	13	19	20	21	22	14 days	Cloudy	Cloudy			
23	25	28	29	30	31								
10	11	12	16	4 days	Clo. blus.,							Clo. b.	
15	1 day	Cloudy	Snow & r.										
24	1 day	Rain	Snow & r.										
Days of the Month.										Wind.			
8	29	31							3 days	N			
3	24	30							3 days	N E			
2	23							2 days	E				
4	15	19	20	21	22					6 days	S E		
1	9	13							3 days	S W			
5	11	12	14	16	17	18	25	26	27	19 days	W		
6	7	10	28							4 days	N W		

On the 5th in the evening, Thermometer at 66° the highest. On the 11th, in the morning, at 13° the lowest. Range 53°.

The Wind has been 11 days east of the meridian, 17 days west of it, and 3 days north.

There was rain and snow on the 15th and 24th; rain at night on the 30th, and high blustering winds on the 10th, 11th, 12th, 16th, and 28th.

Mean temperature of this month 1° colder than December last.

N. B. Barometer out of order.

CHESTER COUNTY ATHENÆUM.

At an Annual meeting of the Stockholders of the Chester County Athenæum, in their room, on Friday evening, February 15, 1833, Samson Babb was appointed chairman, and N. Strickland, secretary.

A report of the situation of the Institution was submitted to the meeting, by the Directors; Whereupon, on motion of the Hon. Isaac Darlington, Resolved, that the report of the directors for the past year be accepted, and that the "Athenæum" return their unanimous thanks to them for the zeal and fidelity with which they have performed their trust.

The meeting then proceeded to the election of a Board of Directors for the ensuing year, when upon examining the ballots, it appeared Dr. Wm. Darlington, Henry Fleming, Francis James, William Williamson, William H. Dillingham, Dr. Wilmer Worthington, and John Marshall were duly elected.

SAMSON BABB, Chairman.

Attest—N. STRICKLAND.

The Directors of the Athenæum of Chester County submit to the Stockholders the following Annual report, agreeably to the provisions of our charter:

After the experience of six years, we have great reason for congratulation that our institution continues to flourish, and has now become firmly established. The evidences that its importance is appreciated, and the public interests in it extending, furnished during the past year, are truly gratifying. We have to lay before the stockholders several valuable donations, some of which are interesting as materials for history. By the liberality of a few public spirited individuals, our library has been nearly doubled since the last annual report, and a handsome addition made to our collection of prints. Through the agency of our highly esteemed member of Congress, the Hon. David Potts, Jr. we have been furnished with Spark's Diplomatic Correspondence of the Revolution, in 12 volumes, complete. The same gentleman has also presented to us Elliot's valuable work, in 4 volumes, containing the proceedings of the different State Conventions, and the Debates in Convention upon adopting the Constitution of the United States, and more recently, the Documents of the last session of Congress, well bound, in 14 volumes. The

Directors entertain a deep sense of gratitude for these marks of attention, and trust the spirit they evince will be appreciated by the stockholders and their constituents at large. We are not without sanguine hopes, and have encouragement to expect that this praiseworthy example will be followed by other of our distinguished men who have enjoyed the highest marks of public favor, and still retain all their claims to public confidence.

We have also again to express our acknowledgments to those friends in Philadelphia whom we have before had occasion to thank for their liberality. David Paul Brown, and James J. Barclay, Esquires, and Col. C. G. Childs. From the first named gentlemen, we have received within the year past, a munificent donation of more than one hundred volumes of books, some of them extremely rare and curious, which add greatly to the interests of our rooms. They were accompanied with the expression of sentiments which increase our esteem for the donor, and greatly enhance the obligations thus conferred upon our Institution. Mr. Barclay has been indefatigable in his efforts to serve us, and to him we are indebted for a very extensive collection of pamphlets, which we propose to have bound up and preserved; and also for several volumes of books, and files of city papers, some of them bound. Through him also we have to acknowledge donations from Mr. T. Pennant Barton Gibson, and James Bayard, Esq's.

To the "Lithographic Establishment" in Philadelphia, we owe most of our handsome specimens of the fine arts. Several interesting contributions in this department have been made by Mr. Thomas U. Walter, Architect, who has done so much towards improving our Borough, in his chaste and beautiful design of a church, and who has greatly distinguished himself by his plan for the Girard College.

Thomas F. Gordon, Esq. has our thanks for 4 volumes of his cabinet of American History.

But what will be regarded with even deeper interest by the Stockholders, is a deposit which we have received from our fellow citizen, Col. Isaac Wayne, from among the papers of his father, the late distinguished General Anthony Wayne, of autograph letters and signatures of officers and statesmen of the Revolution. Placing a high value on these interesting relics, we have caused a cabinet to be prepared expressly for their display and preservation.

It is proposed to make this deposit a nucleus for a collection of Revolutionary Relics and Revolutionary History—a combined Museum and Library—in which shall be preserved every work extant illustrative of that eventful period. We appeal to our friends abroad with confidence in aid of this interesting object. A schedule of the autographs is subjoined, and they will at all times be open to the inspection of the friends and patrons of our institution, upon application to the president or any of the directors.

A useful lesson of patriotism might be learned by studying them at this moment, and our Athenæum thereby become instrumental, in some humble degree, in sustaining and perpetuating the great institutions of the country—Institutions based upon that Union, Independence and Freedom for which our fathers bled. It shall be our especial business and aim to illustrate this bright page of history, which the actions of one of our native sons, contributed so much to adorn.

Among the recent acquisitions most highly prized, is a likeness of our venerable fellow citizen, Doctor Jacob Ehrenzeller, in a handsome gild frame, painted and presented to the Athenæum by Miss Esther Strode, of East Bradford. It furnishes evidence of cultivation of the fine arts in this region, which should be fostered, and is well deserving of patronage.

By the report of the Committee of Accounts, which will now be laid before the Stockholders, it appears, that there is a balance in the hands of the Treasurer, of \$87 47: and that, with a reasonable economy, we may fairly calculate upon being enabled to sustain the

Athenæum upon the principles on which it was instituted; as a repository of historical relics—a means of keeping us well informed of passing political events—and supplying us with an adequate portion of the best specimens of the Science and Literature of the age.

By order of the Directors.

WM. DARLINGTON, President.

West Chester, Feb. 15, 1833.

Autograph Documents and Letters presented to the Chester County Athenæum, 1832,

BY THE HON. ISAAC WAYNE.

1. Two Draughts of Surveys, executed by Gen. Wayne, 1772.
2. Written opinion, furnished by General Wayne to the commander-in-chief, Sept. 10, 1780.
3. Letter from Gen. Wayne to the commander-in-chief, announcing the reduction of Stony Point, dated July 17, 1779.
4. Letter from President Washington to Gen. Wayne, dated May 4, 1789.
5. Letter from Col. Hamilton to General Wayne, July 31, 1779.
6. do Col. Tilghman do Oct. 29, 1779
7. do Col. Laurens do Oct. 1, 1778
8. do Col. Harrison do Aug. 29, 1779
9. do Col. Fitzgerald do June 8, 1779
10. do Col. M^cHenry do Dec. 29, 1780
11. do Gen. Lafayette do March 9, 1781
12. do Gen. Greene do June 26, 1783
13. do Gen. Gates do March 18, 1777
14. do Gen. Knox do Nov. 25, 1792
15. do Gen. Schuyler do July 31, 1779
16. do Gen. Wayne to Gen. Schuyler, September 24, 1779.
17. Gen. Israel Putnam to Gen. Wayne, July 22, 1771.
18. Letter from Gen. Irvine to General Wayne, July 10, 1779.
19. do Gen. Lincoln do Aug. 20, 1778
20. do Gen. Sullivan do Nov. 8, 1778
21. do Gen. Chas. Lee do Aug. 11, 1779
22. do Lord Sterling do Oct. 5, 1779
23. do Gen. Miffin do April 24, 1778
24. do Gen. St. Clair do Aug. 1, 1778
25. do Gen. Arnold, do Nov. 25, 1776

List of Autograph Signatures of Revolutionary officers, and other distinguished American Patriots, presented to the Chester County Athenæum,

BY THE HON. ISAAC WAYNE, 1832.

Major Generals.

1. George Washington, Va.
2. Marquis La Fayette, France.
3. Nathan Greene, R. I.
4. Benj. Lincoln, Mass.
5. Horatio Gates, (England) Va.
6. Baron Steuben, Germany.
7. Henry Knox, Mass.
8. Lord Sterling, N. J.
9. Thomas Miffin, Pa.
10. Philip Schuyler, N. Y.
11. Arthur St. Clair, Pa.
12. Adam Stephen, Va.
13. Benedict Arnold, Connect.

Brigadier Generals.

1. Anthony Wayne, Pa.
2. Count Pulaski, Poland.
3. Francis Marion, S. C.
4. Daniel Morgan, Va.
5. Charles Scott, do.
6. M. Gist, Md.
7. O. H. Williams, do.
8. Wm. Woodford, Va.
9. Wm. Irvine, Pa.

10. James Clinton, N. Y.
11. Philemon Dickinson, N. J.
12. Joseph Reed, Pa.
13. Lochal M'Intosh, Geo.
14. Edward Hand, Pa.
15. George Weedon, Va.

Aids de Camp.

1. Alex. Hamilton, N. Y. Commander-in-chief.
2. J. Burnett, Gen. Greene.
3. Jas. M'Henry, Md. Commander-in-chief.
4. John Laurens, S. C. Commander-in-chief.
5. Trench Tilghman, Md. Commander-in-chief.
6. R. H. Harrison, Va. Commander-in-chief.
7. John Fitzgerald, Commander-in-chief.
8. Benjamin Fishbourn, Gen. Wayne.

Colonels of Pennsylvania Line.

1. Robert Magaw,
2. Richard Butler,
3. Joseph Wood,
4. Francis Johnston,
5. Daniel Broadhead,
6. Thomas Hartley,
7. Thomas Proctor,
8. Walker Stewart,
9. Richard Humpton.

Lieut. Colonels Pennsylvania Line.

1. Samuel Hay,
2. William Butler,
3. Joseph Harmer,
4. Henry Miller,
5. Adam Hubley,
6. Thomas Robinson,
7. Francis Menges,
8. Christopher Stuart,
9. Persifer Frazier,
10. S. Bayard,
11. Wm. Williams.

Colonels from various States.

1. Henry Lee, Va.
2. George Gibson, Va. Line,
3. J. Shreve, N. J.
4. Sylvanus Seely,
5. James Jackson, Georgia,
6. Theodorick Bland, do
7. Christian Febiger, Va. Line,
8. Moses Hagan, Canadas,
9. Rufus Putnam, New England,
10. Alexander Soammel, Mass.
11. Goshen Van Schaick, N. Y.
12. Hardy Murfree, South Carolina,
13. Udney Hay, New England,
14. Clement Biddle, Pa.
15. H. Clark, N. Carolina,
16. Wm. Livingston, New Jersey,
17. Anthony W. White, do
18. Abraham Skinner,
19. Timothy Pickering, Massachusetts,
20. Thomas Posoy, Va.
21. John Eager Howard, Md.
22. William Hull, New England,
23. Jeremiah Wadsworth, do
24. R. J. Meigs, Conn.
25. James Monroe, Va.
26. Louis Fleury, France,
27. Robert Forsyth, South Carolina,
28. Wm. Grayson, Virginia,
29. Wm. Washington, do
30. John Cropten, do.

Statesmen and Civilians.

1. Benjamin Franklin, Pa.
2. Edward Rutledge, S. Carolina,
3. Thomas Bourke, N. Carolina,
4. Thomas Nelson, Virginia,
5. Richard Peters, Pa.

6. Benjamin Rush, Pa.
7. Luther Martin, Md.
8. Adanus Burke, South Carolina,
9. George Clymer, Pa.
10. John Trumbull, Conn.
11. Isaac Shelby, Ky.
12. James Wilson, Pa.
13. Robert Morris, do
14. Wm. Lewis, do
15. Hugh H. Brackenridge, Pa.
16. Bishop J. Carroll, Md.
17. John Martin, Georgia.

Recapitulations.

Major Generals,	13
Brigadier Generals,	15
Aids de Camp,	8
Colonels of Pennsylvania Line,	9
Lieut. Colonels of do	11
Colonels of other States,	30
Statesmen and Civilians,	17

Total autograph Signatures, 103

From the Bucks County Intelligencer.

INTERESTING TRIAL.

Commonwealth vs. Townsend Fell.

Indictment for assault and battery upon Samuel Buck—True bill.

This was a case of great interest, and had produced an extraordinary excitement in the upper section of this county. The defendant was a school master, and Samuel Buck, the prosecutor, aged about 13 years, was a scholar. On the 18th day of January, the defendant inflicted upon Buck a severe flogging, and in the course of two or three days the boy was seized with paralysis of the lower extremities, since which he had been much of the time unable to walk. He appeared in Court, and although much better than he had been, was unable to walk without assistance. One great cause of the intense interest which this case excited, was the divided opinion upon the subject of the abuse of the master producing the disease of the boy. The evidence in this case was in substance as follows:—The prosecution proved, and it was not contradicted on the part of the defendant, that the only provocation was, that the boy was in the first place called to an account for talking, and upon receiving a slight reprimand he laughed slightly—though not aloud. Whereupon the master, (who was a muscular athletic man,) seized him by the hand, bent it back and struck him twelve or thirteen blows on the palm of the hand with a common sized cherry ruler; the ruler broke into pieces, which seemed the more to enrage the master; he then seized the boy round the middle and threw him towards his writing desk, caught up a round ruler 15 inches in length, and of the thickness of three quarters of an inch, and struck the boy three or four blows with it upon the head, and as many more about the arms and legs; the master then threw aside the round ruler and caught up a third one, which was of walnut, and about the size of the first; with this last ruler he commenced laying on the hand and arm of the boy again; the boy all this time crying most piteously and beseeching the master to stop; he then seized him by the arms and set him down upon the bench, and after he was down caught him by the hair of the head and shook him. The boy declared that he spit blood in the course of the afternoon of Friday; the mother proved that he was unable at night to take off his shoes and stockings, and that he had three wounds upon his head which she dressed; the next morning the boy laid in bed uncommonly late, cried, and was reluctant to go to school; he was noticed by the stage driver with whom he rode to school as being very stiff, the next day or day after he was confined to his bed, and remained so for some time.

The defendant produced a number of witnesses, several of the scholars who were present at the time; there was much contradiction in the testimony; several of defendant's witnesses testified that the master did not strike the boy on the head with the round ruler, and that altogether the flogging was not so outrageous as it had been represented on the part of the prosecution; that the paralysis of the boy was not caused by any abuse of his; and that he was justified by virtue of his authority as school master in inflicting upon the boy the punishment which he did.

The prosecution was conducted by Du Bois, Deputy Attorney General, and M'Dowel, for commonwealth, Grantham and Ross, for defendant. The cause was tried with a great deal of zeal and ability on both sides.

His Honor Judge Fox, delivered his charge to the jury at considerable length, and was altogether in favour of flogging at school; about the right of the master to do so he said there could be no doubt. He quoted Solomon as authority in favour of the rod. Said the most distinguished school masters in England and this country always practised corporal punishment, and found great virtue in whipping. Distinguished men were in favour of the rod, and many of those who were most celebrated had been flogged through College. He did not question but this generation was wiser than the past, but he doubted very much whether the abandonment of whipping would be an improvement. The question he said for the jury to decide, was whether the whipping in this case exceeded the occasion—whether it was more severe than was necessary. If the jury believed that the master struck the boy on the head with the round ruler, or threw him down upon the floor, or caught him by the hair of the head and shook him violently, he was guilty of an assault and battery—no master was justified in striking a boy on the head with a ruler.

The Court told the jury that they were unanimously of the opinion that the affliction of the boy was not occasioned by the flogging he got at school.

The jury were out about half an hour and returned with a verdict of guilty, and the Court sentenced him to pay a fine of 50 cents and costs.

ANNUAL REPORT OF THE WATERING COMMITTEE.

To the Select and Common Councils of the City of Philadelphia.

The Watering Committee, in accordance with the usual regulations of Councils present their annual accounts, elucidating their receipts and expenditures for the past year, and an estimate of the sums which will be required to carry on the works of the present year. The estimate for the last year, as per report, amounted to \$45,465,00, after which Councils authorized further sums, for work which at the time the report was made had not yet been determined upon, which are as follows:

The amount of estimate of last year was raised by the sum reserved from Water Rents, of 1831, as per last report,	\$14,602 33
And the balance to be taken out of the Water Rents of the year 1832,	30,862 67
Making together,	\$45,465 00

Afterward there was appropriated a further sum for relaying part of 20 and 22 inch iron main, taken from the towing path of the Old Union Canal, and laid along the south margin of the state rail road, permission for which was granted by the canal commissioners of the state,

10,000 00

And for building a guard pier and ice breaker at the foot of Coates street under the authority of an act of the,

Legislature of March last,	8,500 00
And for laying iron pipes from the main at Schuylkill Eighth and Cherry streets, leading down Cherry street to the Widows' and Orphans' Asylums, and prepared to be extended hereafter to the Wills Hospital,	1,800 00
For the purchase of ground belonging to Henry Molere, bounded south by the state rail road, and adjoining other ground belonging to the City at Fair Mount;	1,000 00
For the purchase of lot of ground belonging to the Lancaster Schuylkill Bridge Company, \$3,000, and for paving and curbing Fair Mount street, \$2,523 75, to be taken from the proceeds of sale of steam engine at Fair Mount,	5,523 75

Making the appropriations for 1832,	\$72,288 75
Of which there was expended during the year 1832, per accounts Nos. 2, 3, 4, 5, 6, 7, 8, 9 and 10, as follows:	
For the Distribution,	\$ 5,373 74
For Fair Mount Works, including paid on account of guard pier,	12,903 23
For Iron Pipes,	29,468 55
For Relaying 20 and 22 inch Iron Main,	4,866 41
For Reservoir No. 4,	1,537 10
For Water Power,	1,566 33
For Salaries,	3,240 00
For Incidentals,	343 76
For completion of Wheel and Pump No. 5,	5,896 46
	<hr/> 65,195 58

Leaves for the payment of unfinished works and taxes due in 1832,	\$ 7,093 17
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The amounts due for the work not finished in 1832, for which the appropriations of \$72,288 75 were made, are as follows:—

Due to Thomas D. Grover and others, for finishing guard pier and ice breaker as per estimate laid before Councils in 1832,	\$ 6,387 50
To Peter Fritz, for marble fountain basin, to be finished in May next,	1,050 00
To Collectors of taxes for Fair Mount Estate for 1832,	787 92
	<hr/> 8,225 42

Leaving a deficiency of the appropriations for 1832, of	\$ 1,132 25
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The amounts received into the Treasury during the year, 1832, were as follows:—

For Water Revenue for 1832,	\$73,019 81
For articles sold by the Superintendent,	1,175 29
For proceeds of sale of Steam Engine at Fair Mount,	5,523 75
To which add balance reserved from Water Rents of 1831, towards estimates for support of Works in 1832, as per last report,	14,602 33
Ditto, for finishing wheel and pump in 1832,	7,800 38
	<hr/> 102,121,56

From which deduct payments on account—

For support of the Water Works for 1832,	\$ 65,195 58	
And in aid of the Sinking Fund,	14,000 00	
		79,195 58
		<u>\$22,925 98</u>
From which deduct balance as per above statement, to pay for unfinished work of 1832,	\$7,093 17	
And for deficiency in estimate for the last year,	1,132 25	
		8,225 42
		<u>\$14,700 56</u>
From which deduct balance which should have been reserved for water purposes for 1832, but was appropriated to aid tax fund of 1832,		14,602 33
		<u>98 23</u>
Leaving a balance for water purposes for 1833,		
To meet all the estimated demands for 1833, there will be wanted,		25,986 52
		<u>\$26,084 75</u>
Together, as per estimate for 1833,		
The Water Rents for 1833, are as follows:—		
City,	\$46,610 25	
Northern Liberties,	15,139 75	
Spring Garden,	8,010 00	
Southwark,	7,413 25	
Moyamensing,	394 50	
		<u>\$77,567 75</u>
Deduct therefrom the amount wanted for 1833,	25,986 52	
Leaving at the disposal of Councils,		<u>\$51,581 23</u>
Which may be applied for the settlement of amounts standing open in the Treasurer's books, as per his statement to Councils amounting to	\$29,701 85	
And for the annual appropriation in aid of the Sinking Fund,	14,000 00	
		<u>43,701 85</u>
Leaving a balance of	\$7,879 38	

Which balance the Committee are of opinion should be reserved, in case any further work, than is now estimated for, shall be found necessary to be done during the present year.

The increase of the water revenue is flattering; the time is not far distant when the heavy expenses for laying iron pipes will cease, when it is expected that a greater part of the income to be derived from that source, may be appropriated for the gradual liquidation of the loans, due for the erection of the Fair Mount Works.

The sums estimated to be necessary for the year 1833, will be found to be much less than they were the last year, although a heavy sum is added, arising from a deficiency in the estimate of 1832, for the erection of the guard pier, ice breaker, &c., at the foot of Coates street.

Distribution. This part of the work embracing all the repairs of pipes, pumps, fire-plugs, stop cocks, and placing new fixtures throughout the City, may be considered a stationary expenditure, until all the wooden pipes shall have been removed, when it is calculated it will be considerably reduced.

Fair Mount Works. While improvements are necessary both for utility and ornament, it is difficult to de-

termine when the expenditure of this department will cease. It is however gratifying to your Committee, to believe that what has been done has given general satisfaction. In the early part of last year, the wheel and pump No. 5 was finished and put to work. Without this acquisition to the former wheels and pumps, it is doubted whether a regular supply of water could have been kept up, equal to the demands during the period that the Cholera was raging in the city and districts, arising from the unusual number of fire plugs being permitted to be opened for cleansing the streets, and for all purposes necessary for purification—the present wheels and pumps being found barely sufficient to keep up a copious supply of water during the hot season of 1832. The Committee recommend that another wheel and pump be put up early in 1834.

The low state of the river Schuylkill in August, September, and October last, when two-thirds of the dam was dry, induces the Committee to believe that the whole water power of the river will not be sufficient to work eight wheels and pumps as was originally designed, and for which provision has been made in the buildings. They are supported in the opinion, from the circumstance that the water was frequently drawn down in the dam through the course of the day, during the above mentioned months. During the last summer, the dam was backed with 6913 yards of rubble stone. It is believed to be in the best order.

The garden plot at Fair Mount has been grass soded and planted with trees. The basin for the fountain contracted for last year, it is expected will be put up in May next.

The old water wheels Nos. 1, 2, and 3, which were put to work in 1822, were found to be partially decayed; the wheels and breast work have been repaired, and they are now in good order.

The wharf improvements making by our neighbors at the foot of Coates street, in the district of Spring Garden, made it necessary for the protection of the purity of the water, that the Committee should forthwith erect the guard pier and ice breaker, in accordance with the provisions of an act of the Legislature granted to the city last session. Accordingly, an agreement was made with Thomas D. Grover for building the same, which, on account of its magnitude, together with much loss of time by sickness of the workmen last summer, has not been finished; it is, however, in such a state of forwardness, as to be perfectly secure, and able to withstand the ice freshets. The estimate made by Mr. Grover in July last, for the completion of this work, which was laid before Councils, amounted to \$8,500. On the 29th December last, Mr. Grover handed in another estimate, wherein he states that a further sum of \$5,084 75 will be wanted; this excess is accounted for by the pier having been made fifteen feet longer in the deep water than was first intended, and from the cause of the whole structure having sunk much deeper in the mud (which is fifteen feet deep) than was first calculated, in consequence of which, to complete it, a considerable increase of timber, iron, and stone, will be required; it is estimated that for every fourteen inches the pier sinks, it takes five thousand feet additional timber. It is expected that this important piece of work, with repairs necessary to be done to the old wharf, will be finished by the first of June next.

Iron Pipes. The iron pipes estimated for in the last report, have all been laid, together with many others placed in incidental streets and alleys, where new stone pavements were ordered, and in streets and alleys where a supply of water was wanted. There has been an excess of expenditure in the account, arising from a greater number of feet of pipes having been laid than was estimated for, and from the cause of the first contractor having failed to deliver pipes;—this with the advance paid for pipes and for lead, will account for the increase of expense.

Iron Main. In the year 1819, permission was granted

by the President of the Old Union Canal Company, to lay the twenty-two inch main along the towing path of the canal, from Callowhill and Schuylkill Second to Hunter street, near Fairmount; since that period, the Columbia Rail-Road has been located near the line of the canal, in consequence of which the latter will be abandoned; which induced the Committee to make application to the Canal Commissioners of the State, for permission to relay the main along the south margin of the rail-road, which has been relaid accordingly. The estimate for this work was made under a belief that many new pipes would be wanted; the work has been done for much less than was expected; the surplus has been applied to cover deficiencies in the expenditure for other parts of the work, where accurate estimates could not be made, such as the extension of the iron pipes, backing the dam, and expenses to the old water-wheels. The number of iron pipes laid in 1832, not including the relaying of the twenty-two inch iron main, amounted to 16,296 feet. The quantity of iron main taken up and relaid was 2,450 feet.

In 1831, the repairs required to wooden pipes amounted to 1131 feet, and in 1832 only to 220 feet.

Reservoir, No. 4. The completion of this part of the work not being deemed essential at the present time, very little has been done to it, excepting the forming of safety banks outside of the main embankment, of the reservoir, where they were most exposed from their height. It is recommended that safety banks be extended along the northern range of embankments of Reservoir No. 3—these banks, although they have been carefully staked and grass soddied, have slipped twice; they are not judged perfectly secure—the expense for which is embraced in the estimate of the year.

Steam Engines. By the authority of Councils, the two steam engines at Fair Mount have been sold at public sale. The neat proceeds from the sale amounts to \$5,523 75, which Councils appropriated to the payment of lot of ground purchased from the Lancaster Schuylkill Bridge Company, and for curbing and paving Fair Mount street.

The removal of the steam engines from out the buildings, has left them in a dilapidated state. As those buildings cannot be applied to any beneficial purpose connected with the work at Fair Mount, the Committee recommend to Councils that they be taken down, and the materials such as are of good quality, be used wherever the City may require them.

The Districts. The contract entered into with the Watering Committee of the Township of Moyamensing, leaves them in possession of a copious supply of wholesome water derived from a sixteen inch main laid last year in Cedar street. The Committee, although anxious that the District of Kensington should receive a supply of water under the same conditions as the other districts are supplied, have not succeeded in making an agreement, from the cause of the necessary preliminaries not having been settled between the Kensington Committee and the Watering committee of the District of the Northern Liberties, through whose district the former must receive their supply of water.

The Increase of Water Rents in 1832 was, viz.

In the City,	\$2,928 00
Northern Liberties,	1,250 00
Spring Garden,	1,829 25
Southwark,	762 25
Moyamensing,	394 50
	<hr/> \$7,164 00

As it has not been ascertained whether the Commissioners of the District of Spring Garden will curb and pave Coates street from the Schuylkill to Fair Mount street during the present year, no provision has been made in the estimate for the same. Should the paving and curbing be done, a further sum of \$4,200 will be required, from which may be deducted the amount of \$2,500 recovered for ground taken from Fair Mount estate for widening Coates street to eighty feet.

It will appear upon examination of the accounts of the Watering Committee for some years past, the amount received in the office for repaving over private pipes exceeds the expenditure. The regulation being in fact an interference with the duty of the City Commissioners, the Committee recommend to Councils, for the better regulation of the streets, the repairs henceforward shall be done under the authority of the City Commissioners, and the amount received in the Water Office for that object shall annually hereafter be appropriated for that purpose.

The Committee having stated every thing they believe interesting to Councils, in regard to the important trust committed to their charge, respectfully submit their report.

JOHN P. WETHERILL,

Chairman of the Watering Committee.

February 14th, 1833.

From the different statements made in connexion with the preceding Report, it appears that there were expended in 1832, for

	Dolls. Cts.
Distribution, - - - - -	5373 74
Fair Mount Works, - - - - -	12903 23
Iron Pipes, - - - - -	29468 55
Relaying Main, - - - - -	4866 41
Reservoir No. 4, - - - - -	1537 10
Water Power, - - - - -	1566 33
Salaries, - - - - -	3240 00
Incidentals, - - - - -	343 76
Wheel and Pump, - - - - -	5896 46
	<hr/> 65195 58

ESTIMATE FOR 1833.

For working machinery and material, at Fair Mount, \$1600; Castings, hydrants, pumps, repairing &c., salaries &c. \$9000; repairs, improvements, laying pipes, wages, guard pier and ice breaker &c. \$10,484.75; making a total of \$26,084.75.

The quantity of IRON PIPES laid in the		
CITY in 1832,	16,296 ft.	Total.
Prior to that time,	131,963	
		248,261
N. LIBERTIES in 1832,	ft. 1404 08 in.	
Prior,	556,90 06	
		57,095 02
SOUTHWARK, in 1832,	791	
Prior,	37,988 10	
		38,779 10
MOYAMENSING,		4,217
SPRING GARDEN, in 1832,	5,193	
Prior,	3,1156½	
		36,349 00½
Total Iron pipes laid,		384,701 00½
equal to about 73 miles.		

FIRE PLUGS ERECTED.

Nor. Liberties, 1832,	4	Total number	117
Southwark,	3	"	84
Moyamensing,	8	"	8
Spring Garden,	13	"	66

The amount paid into the Treasury on account of the Water Works in 1832, was \$79,718 85; of which \$5,523 75 was from sale of old steam engines.

The amount of water rents for 1833, per duplicates, is,		
For the city, S. District,	\$22,992 75	
Northern do.	23,617 50	
		46,610 25
Northern Liberties,		15,139 75
Spring Garden,		8,010 00
Southwark,		7,413 25
Moyamensing,		394 50

Total Duplicates for water rents, 1833, 77,567 75

It appears that the following number of dwellings, (besides Factories, stables, public buildings, &c.) were supplied in 1832.

Spring Garden,	867
Southwark,	865
Northern Liberties,	1614
City, Southern District,	3386
Northern District,	3254
Moyamensing,	6640
	46

10,032

The whole amount of Water Rents, and sale of old material, received by the Watering Committee from the commencement to 1832, inclusive, \$783,477 03

The whole amount expended for the Water Works in 1832, \$ 65,195 58
 Prior years, 2,063,150 64

Total expended, from commencement up to December 31, 1832. \$2,128,346 22

For some interesting details see Register, Vol. IX. page 90 to 95.

COMPLIMENT TO COL. SWIFT, MAYOR OF THE CITY.

Agreeably to public notice, the committee appointed to present to Col. Swift, the splendid service of plate, which had been prepared for him, as a testimonial of the esteem and gratitude. which his fellow citizens feel towards him, for his philanthropic services during the prevalence of the late distressing epidemic, and especially for his devotion to the unfortunate tenants of the Arch Street Prison, during their severe affliction, met at the Hall of Independence at the time notified.

On the arrival of Col. Swift, under the escort of the sub-committee appointed for that purpose, J. Hall Bready, Esq. from the general committee, rose and addressed him in the following words:

Sir,—Military or civic honors, though deserved subjects of public esteem or gratitude, are frequently merely the evidence either of moral or physical courage, and sometimes rather of some lucky accident than of either. The glory that may be supposed to await upon proud public services, at once forms their reward and motive, and is often as fairly attributable to overweening vanity, or vaulting ambition, as to the higher and holier sentiments which virtue herself alone inspires.

The work may be distinguished—the benefits which it confers upon mankind may be great, though the principle from which it emanates, may have been sordid and selfish in its character. Yet we admit that even in these cases, the motives of public benefactors are not to be too closely scrutinized, or too nicely weighed; but for the honor of human nature, that which is apparently *well done*, and which contributes to general benefit, should be taken to have been *well designed*, and uninfluenced by private or personal consideration.

But, sir, there is a class of cases more applicable to our present purpose, which, though far less gorgeous and imposing in their aspect than those referred to, are entitled to a richer reward—cases which spring from the purest impulses of the human heart, and which nothing but the spontaneous offerings of the heart can ever adequately repay. We allude to those which though performed upon a limited theatre of human action, date their origin, and look for their recompense, in a happier, in a heavenly sphere.

To sustain the weak, comfort the afflicted, relieve the oppressed, and to remove the thorns from the pillow of disease and death, not under the full blaze of public observation, and public admiration, but in the secluded chamber, or the retired cell, which one eye alone can penetrate, these are the magnanimous duties which eave the impulse that directs them unquestioned, and

as they blend the duties of the citizen and the Christian together, so they unite their rewards. Such a benefactor, on earth, enjoys the respect of all good men, and in heaven, the Almighty Judge, who seeth in secret, shall reward him openly.

Influenced by these principles, the application more particularly of which it would neither become me to make nor you to hear, your grateful fellow citizens through me their humble representative, present to you, and beg your acceptance of, this service of plate; not as an adequate requital of your philanthropic and generous devotion during the late fearful and devastating scourge of the malignant cholera, in this city, to those whom you found sick and in prison, and ministered unto, even at the imminent peril of your own valuable life, but for the purpose of showing that the members of this community are not unmindful of the sacrifices thus encountered, and the benefits thus conferred, by you; and for the still further purpose of promoting, with others, the influence of your meritorious and distinguished example.

Accept, then, sir, in conclusion, this token of our sincere esteem, and accept also, what lends to it its chief value, the assurance of our lasting and unqualified gratitude; gratitude which, although it cannot repay the obligations which it owes, at least acknowledges them, and relies upon your generous feelings, by which they were created, for the extinguishment of the debt.

The following is Col. Swift's reply:

It cannot be doubted, sir, after this distinguished testimonial of the approbation of my fellow citizens, that they have done full justice to the motives which governed my conduct on the occasion referred to. I am only apprehensive that in the kindness of their feelings, and in their zeal to do me honor, they may have over-rated the services really performed, and ascribed to me a degree of praise which no citizen has a right to claim for the simple discharge of a common duty. It is true, sir, that on the 5th of August last, I found a large number of unfortunate fellow creatures, whose condition had almost severed them from the sympathies of their kind, suffering and sinking under the influence of the pestilence, and that my best efforts were bestowed to mitigate their distress, and to sooth the last moment of those whom death had marked as his victims. But it is also true, that in doing what accident placed in my power, I contemplated nothing but the discharge of my obligations to the community and sought no reward beyond the silent approbation of an approving conscience. This unlooked for testimonial from my friends and fellow citizens has, therefore, overwhelmed me with feelings which I find it impossible to express. I, therefore, beg you will conceive in the same friendly spirit which has dictated the compliment.

To you, sir, and to those whom you represent, I tender the most cordial thanks, with the warmest wishes for your continued prosperity here, and for your happiness hereafter; assuring them that what has passed this day, can never be effaced from my memory; and that it will constitute hereafter the proudest recollections of my life, and the strongest incentive to the discharge of every public duty.

[U. S. Gazette.

JEFFERSON MEDICAL COLLEGE PHILADELPHIA.—The Dispensary of Jefferson Medical College, reports 986 cases of disease for the last year.

This institution is supported by the contributions of the Professors, who furnish Medicines and Advice.

The diseases of the Eye and Ear to be seen at the College, afford many advantages to the Pupils in this interesting class of diseases.

Chronic Diseases	334
Acute Diseases	498
Accidents	19
Parurition	40
Vaccination	10
Minor Surgical Operations	85

Total 986

CHOLERA PHYSICIANS IN CHIEF.

It is not unknown to most of our readers, that the former Councils of this city voted to each of the Physicians-in-Chief of the Cholera Hospitals in this city, a splendid Silver Pitcher, as a testimony of the city's gratitude for their efficient services during the prevalence of the Cholera last summer. The vote of gratitude included also the Sisters of Charity, but the rules of their order did not allow them to accept any thing as an acknowledgment for their services. By a vote of the present Councils, the Mayor of the city and the presidents of the Councils, were directed to convey to the Physicians-in-Chief, the tokens of the city's gratitude in such terms as they should deem proper. Agreeably to previous arrangements, the physicians were invited to meet the city authorities, yesterday at 12 o'clock, M., in the Common Council chamber; when at the hour prescribed a large concourse of citizens assembled.

In the centre of the council chamber a table was placed, on which stood the THIRTEEN large Silver Pitchers, engraved upon each of which was the expression of the city's appreciation of services rendered, and the name of the physician to whom it was voted.

The President of the present Common Council, Henry Troth, Esq. and the President of the late Common Council, James Page, Esq. took the seats of the presiding officers, and at their right was the Recorder of the city, Joseph McIlvaine, Esq. Between the table and the President's desk, the Mayor of the city was seated, and in front of him were the gentlemen of the faculty. A considerable number of the members of the present and some of the late Councils were present. The Pitchers were then presented to the Medical gentlemen, with the following address from his Honor, the Mayor.—*U. S. Gazette.*

MAYOR'S ADDRESS.

Gentlemen—The duty of presenting to you on behalf of the City Authorities these testimonials of their respect and gratitude is truly a delightful one. How that respect has been challenged and that gratitude nobly won, it is unnecessary for me at this time to repeat. The history of your prompt, disinterested, and fearless exertions at a season of great public calamity and of unprecedented alarm is fresh on the recollection of this community and will not be forgotten, while manly courage, pure benevolence, and high professional attainments, continue to be the objects of general admiration and esteem. That you may long live to adorn society and to advance your profession, to sustain the high character of our city for medical science, to carry health and comfort into the abodes of sickness and suffering, and to enjoy the merited confidence and sincere affections of your fellow citizens, is a prayer, dictated alike by the feelings of my own heart and by the UNANIMOUS sense of a grateful community.

To which Professor Chapman, on behalf of his medical brethren, made the following reply:

PROFESSOR CHAPMAN'S REPLY.

It has devolved on me, sir, to convey through you and the city authorities the expression of the deep sense entertained by my colleagues and myself, of the distinguished recognition by that body, of our services during the prevalence of malignant cholera in this community. We cannot, however, claim for ourselves, any exclusive merit. The profession to which we belong, under such circumstances of appalling disease, has never failed to come forward with its best exertions, to stay and mitigate the calamity; and on the last occasion, there was not a single member of it, within our knowledge, who proved recreant in duty.

Much of the success in the management of the epidemic, which has been too partially ascribed to us, must be ascribed to the wise and provident regulations of the Councils, and to the harmonious and efficient co-operation with us of their executive committee, includ-

ing the Recorder, and your immediate predecessor in office, to all of whom, we beg to tender our respectful acknowledgments.

It were, too, an injustice, to withhold a large share of credit from those junior physicians attached to the hospitals committed to our charge, who by day and by night, at some heavy sacrifices, devoted themselves to the sick, with a zeal that never relaxed—alike signalizing their skill and humanity.

Nor are we unmindful, sir, of your own disinterested and heroic conduct, in one of the most trying scenes of hazardous benevolence.

We are sensible of, and duly appreciate the gracious manner in which you have addressed us, and cordially reciprocate all your kind wishes.

The whole ceremony was simple but impressive; the vote of the Councils, which authorized the expression of thanks, was creditable to these bodies, and expressive, as we believe, of the sense of the community.

The following is a list of the gentlemen to whom this just compliment has been paid.

Drs. John C. Otto,

N. Chapman,
Joseph Parish,
J. K. Mitchell,
Thomas Harris,
S. Jackson,
Charles Lukens.

Drs. W. E. Horner,

C. D. Meigs,
R. Harlan,
H. L. Hodge,
O. H. Taylor,
G. Emerson,
[*Commercial Herald.*]

TRENTON RAIL-ROAD COMPANY.

First Annual Report of the Directors of the Philadelphia and Trenton Rail-Road Company.

In compliance with the provisions of the 7th section of the act of incorporation, which requires, "That at each Annual Meeting of the Stockholders, the directors of the preceding year shall exhibit to them a complete statement of the affairs and proceedings of the Company, for such year," the President and Directors submit the following report:

That on the 9th day of June last, the Directors, elected by the Stockholders on the 5th day of the same month, met, and having elected John Savage, President, and Thomas G. Kennedy, Secretary, and Treasurer proceeded to ascertain the state of funds of the Company, when it appeared that three thousand shares of the capital stock had been subscribed, on each share of which five dollars had been paid to the commissioners appointed by the act of incorporation to receive subscriptions to the stock amounting in the whole to the sum of fifteen thousand dollars, and that five hundred and ninety-seven dollars and six cents thereof, had been expended by the said commissioners, while in the discharge of their duty; and that the balance of fourteen thousand four hundred and two dollars and ninety cents was paid over by the said Commissioners to the President and Directors, and placed by them in the hands of the Treasurer, subject to the direction of the Board.

That at a meeting of the Board of Directors, on the 28th June last, it was considered that the whole of the amount received by them from the Commissioners, and now at their disposal would not be wanted immediately for the purposes of the Rail-Road, and that it would be to the advantage of the Stockholders to place so much thereof at interest, as would not be required for current expenses. They therefore loaned on that day, \$12,865 thereof, on good security, payable when required, at an interest of six per cent. leaving \$137 94 in the Treasurer's hands, for the purpose of defraying current expenses.

That at the same meeting of the Board, a Committee was appointed to examine the several routes proposed for the Rail-Road, with directions to employ an engineer, and such assistants as should be necessary to make a survey of such route or routes as they should direct, and make report to the Board at its next meeting.

The Board met again on the 8th December, last, at which time the Committee made a report of the survey, accompanied with a draft, or map, profile and estimate of the cost of construction, by Mr. Samuel H. Kneass, whom they had employed as their engineer, in making the said survey, together with a model of a Rail-Road.

From the whole of the surveys and examinations made, it appears that the ground between Kensington and Morrisville, on the south side of the Frankford and Bristol turnpike, is peculiarly favorable for the construction of a rail-road; that the whole distance will be a little short of 27 miles; and that the grading of the same for a double track, and laying a single track of rails, on the plan of the model presented to the Board, with seven turn outs, is estimated to cost \$318,422 66.

They further report, that at a meeting of the Board, on the 19th of December last, it was deemed expedient to place under contract the grading or road formation of the whole line, together with all the necessary bridges and culverts, and having appointed Mr. Samuel H. Kneass, the Engineer of the Company, they directed him to proceed to the final location and staking out of the work, without further delay.

The Board then entered into, as they believe, a very advantageous contract on the part of the Company, with Richard Morris, of the City of Philadelphia, to execute and construct the said road formation, and bridges for the sum of \$161,047. The road to be graded for a double track, and completed ready for the laying of rails, on or before the first day of January, 1834, and the bridges to be completed on or before the first day of September, 1834, by which it is believed the whole road may be completed and ready for use, should the superstructure be judiciously contracted for in good season.

The Board are therefore happy to present to the Stockholders, in their 1st annual report, and within a period of six months from the time of their first coming into existence as a Board, the very flattering prospect of the completion of the road, on terms more favorable than those of any similar work in existence, and at as early a period as the nature, extent, and permanence of the undertaking will admit of.

By order of the Board,
JOHN SAVAGE, President.

THOS. G. KENNEDY, Secretary.
January 14, 1833.

From the Berks and Schuylkill Journal.

E. F. GONNOR, Esq.—The annexed facts may not prove uninteresting to a portion of your readers, as they constitute a partial illustration of the Natural History of our country, which may thus be gradually developed.

Two species of the Genus *Mustela*, (*M. Pennanti* and *M. Lutreola*.) have recently been taken within a few miles of Reading. The *Mustela Pennanti* or *Pennant's* Marten, of Godman, and Fisher of other authors, is, we believe, of rare occurrence in our vicinity; even admitting that the Black Fox, occasionally spoken of by our hunters, should prove to be the same animal.

No opportunity having been afforded for an examination of the latter, would at least render the supposition plausible. The name Fisher usually applied to this animal is considered by no means indicative of its habits, and would tend to mislead opinions upon the subject, which induced Godman to judiciously supply it, by a translation of the scientific name given it by Erxleben. This state and New York have from the authority of Pennant, exported 580 skins in one year.

Our specimen is an adult male, with elongated or pointed snout, short, broad, and round ears, the body covered with fur of greyish black, gradually deepening in color and increasing in length as it approaches the tail. The length of the body is 27 inches, that of the tail 21 inches, which latter terminates in its characteristic tenuity. It was shot in Alsace township.

The *M. Lutreola* or Mink, needs no particular description, as its frequent depredations in the poultry yards of our farmers, have rendered it equally well known and marked as an object for destruction. This specimen was taken in a fish net by our townsman, *Michael Spatz*, in which it had evidently perished in its pursuit for food.

Falco *Leucophalus* or white headed eagle, a remarkable fine specimen of which, shot on the farm of Geo. D. B. Keim, Esq. in Exeter, has on a recent occasion been much admired and commented upon.

They are but occasionally met with, so far inland, as their habits render them more numerous on our sea coasts, and the vicinage of large rivers. They are commonly called the bald eagle,—how correctly so, may be inferred from the circumstance of their heads being thickly covered with white feathers.

Strix *Virginiana* or Great Horned Owl, } both of
Strix *Nebuloso* or Barred Owl, }
which have been also received and are fine specimens of that peculiar bird. Their predatory and destructive habits are familiar to almost every one, while their fitful hootings amid our wooded solitudes add much to

"Making night hideous."

We would suggest to our country friends the careful preservation of any thing deemed singular in the varied department of Natural Science, as they would at any time be thankfully received, and if requested, described through the medium of your journal. D. M. K.

Feb. 29.

PREMIUMS

Awarded by the Pennsylvania Horticultural Society, for esculent Vegetables, Fruits and Flowers, during the past season:

The premium for the best Early Cauliflowers to John Dougherty, gardener to J. J. Borie.

An honorary premium for Early Cauliflowers, to John Sherwood, gardener to Henry Pratt.

The premium for the best Forced Lettuce, to John Dougherty, gardener to J. J. Borie.

The premium for the best Lettuce grown in the open ground, to John Dougherty, gardener to J. J. Borie.

The premium for the best early Cucumbers, to John Sherwood, gardener to Henry Pratt.

The premium for the best Melongena or Eggplant, to Edwin Mather, gardener to S. Gratz.

The premium for the best Gooseberries, to Edwin Mather, gardener to S. Gratz.

The premium for the best Early Cabbage, to Robert Scott.

The premium for the best early Peaches, to Wm. Bates, of Camden, New Jersey.

The premium for the best late Peaches, to Wm. Bates, of Camden, New Jersey.

The premium for the best Figs, to Wm. Graham, gardener to Joshua Longstreth.

An honorary premium for Pears, to J. B. Smith.

An honorary premium for Pears, to Daniel Maupay.

The premium for the best Cellery, to Jacob Engelman.

The premium for the best Broccoli, to Jacob Engelman.

An honorary premium to E. Harris, of Moorestown, N. J. for the introduction of the Giraumon d' Athene, and Giraumon turban.

An honorary premium to John Sherwood, gardener to Henry Pratt, for a fine specimen of the Red Romana Melon.

The premium for the best Native Grapes, (Elsinburg,) to S. R. Wetherill, of Burlington, New Jersey.

An honorary premium for Foreign Grapes, to the gardener of Joseph Buonaparte.

An honorary premium for Foreign Grapes, to Mr. Vansickle.

An honorary premium for several remarkably large and fine Lemons, to C. Chauncey.

An honorary premium to John Sherwood, gardener to Henry Pratt, for a specimen of the St. Helena Citron, equally remarkable for its size and excellence.

LIBRARY OF THE PEOPLE OF COLOR.

We, the people of color of this city, being deeply impressed with the necessity of promoting among our rising youth, a proper cultivation for literary pursuits and the improvement of the faculties and powers of their minds, deem it necessary to state for the information of our friends wherever situate, that we have succeeded in organizing an institution under the title of "the Philadelphia Library Company of Colored persons."

It will be perceived that this is not a mere fractional effort, the design of any single society among us, of which we are proud it can with truth be said there are many, all having originated for our mutual benefit and improvement; neither is it sectarian, but its features are such as to embrace the entire population of the City of Philadelphia, as its name imports.

In accordance with which we most respectfully appeal to the friends of science and of the people of color, for such books or other donations as will facilitate the object of this institution.

The following individuals are duly authorized to solicit and receive such donations on behalf of said Company, as a liberal and enlightened public may feel disposed to bestow viz:—

Robert C. Gordon, jr., 212 S. Seventh st.
 Frederick A. Hinton, 82 S. Fourth st.
 Daniel B. Brownhill, 15 Arch st.
 James Needham, 12 N. Fourth st.
 Thomas Butler, 6 S. Eighth st.
 William S. Gordon, 99 Callowhill street.
 Robert Purvis, 11 Jefferson row, Lombard st.
 Daniel Colly, Ninth above Coates st.
 James C. Morel, 1 Passyunk Road.
 Morris Brown, jr., 241 Shippen st.

Columbia, March 9th, 1833.

THE WEATHER.—On Thursday afternoon, the last day of February, it commenced snowing, and continued with little cessation, until the morning of Saturday the 2d of March—when it lay about a foot in depth.

On Friday the ice was running very thick in the river, and the ferry boats made but one trip. No mail from Baltimore in the evening on account of the ice.

On Saturday it was very cold—the wind blew with great violence, drifting the snow in some of the by-roads, so as to render them nearly impassable. Those who sleighed for pleasure this day must have been sadly disappointed. No crossing the river of any kind—mail or ferry boat. This is the only instance of the boats being prevented from crossing by the ice, for a whole day, since the ferry was revived. In the evening the river closed at Marietta.

Sunday was the coldest day we have had this season. In the morning the thermometer stood out doors at 6 degrees above zero.

On Monday the river had closed over three-fourths of the way, from the Wrightsville shore, and the mail baggage was brought over that distance in a sleigh drawn by men. At Marietta the ice was so strong that two or three droves of horses crossed.

We have heard some of our oldest inhabitants say, that they never knew ice to be made so thick in the river in the month of March.

On Tuesday evening four inches of snow fell.

The weather for the last three days has been mild, and the warm sun has left very little snow in our streets.

The sleighing was good from Friday until Thursday, and it appeared as though every thing in the shape of

sleighs and horses was put in requisition to gratify the wishes of those fond of this species of amusement. We do not recollect to have seen good sleighing better improved, or the lovers of pleasure better satisfied in their pursuit.

HUMANE SOCIETY.

Statement of the Receipts and Expenditures of the Humane Society for the year ending 2d month, 1833.

To cash paid for cordage, iron works, and for grapples,	\$52 25
To do. James Hines, 3 years salary,	81 00
To do. for a lancet to a physician, to replace one lost in the service of the society,	4 50
To do. for printing,	1 50
To do. premiums to individuals for rescuing persons from drowning,	32 00
To do. lent on bond secured by mortgage,	2700 00
To do. lent on note secured by collateral,	1500 00
Balance in the hands of the Treasurer,	377 26
	<hr/>
	\$4748 51

CR.

By cash received interest on bonds and mortgages,	210 00
By do. dividends on turnpike stock,	45 00
By do. do. on bank stock,	234 00
By do. do. on Schuylkill navigation stock,	50 00
By do. proceeds of do. sold,	2493 75
By do. legacy of W.A. Turner, 500, less tax, \$12 50,	487 50
By do. contribution of a new member,	1 00
Balance in the hands of the Treasurer at last settlement,	1227 56
	<hr/>
	\$4748 51

SHIP BUILDING—PHILADELPHIA.

Business has also begun to stir, and in a few days will be as active as ever. We learn that our Ship Builders have a better prospect of employment during the ensuing season, than for some time past. We took a walk among the ship yards yesterday, and present the following result of our observations:

BUILDING IN KENSINGTON.

By J. Vaughan—Packet ship Susquehanna: (nearly ready for launching,)	500 Tons.
J. Teese,	1 ship 500
"	1 ship 350
"	1 brig 140
A. Vandusen,	1 ship
"	1 brig 260

IN SOUTHWARK.

J. Burton,	1 ship 480
Vogle & Pearson,	1 barque 330

About twenty-five Canal Boats are on the stocks in Kensington, and two in Southwark.—*Commercial Herald.*

LUXURIANT CROP.—We were informed a few days since by Mr. James George, of Derry township, that he procured from one bushel, lacking three pints, of Flaxseed—sown by him last year—eight bushels and a half of clean seed, and three hundred and twenty-five pounds of broken flax.

GREENSBURG, March 1.

Printed every SATURDAY MORNING by WILLIAM F. GEDDES, No. 9 Library Street, Philadelphia; where, and at the PUBLICATION OFFICE, in FRANKLIN PLACE, second door back of the Post Office, (front room) subscriptions will be thankfully received. Price FIVE DOLLARS per annum, payable annually by subscribers residing in or near the city, or where there is no agent. Other subscribers pay in advance.

HAZARD'S REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

VOL. XI.—NO. 12. PHILADELPHIA, MARCH 23, 1833. NO. 273.

REPORT

Of the committee appointed to investigate the local causes of Cholera in the Arch Street Prison, in the city of Philadelphia, to inquire into the sufficiency of the legal provisions for the maintenance of untried prisoners and debtors, and report alterations and amendments with respect to the regulations affecting their condition,—Mr. Gibbon, chairman. Read in the House of Representatives, February 21, 1833.

On the apartment for Criminals and untried Prisoners, in the Arch Street Jail.

The committee appointed by the House of Representatives, "to investigate the local causes of the excessive mortality by cholera, in the Arch Street Prison in the city of Philadelphia, during the month of July last—to inquire into the sufficiency of the legal provisions for the maintenance of untried prisoners and debtors—and to report such alterations and amendments with respect to the regulations affecting the condition of these persons, as may protect them and the public from the danger of similar consequences in future," report:

That in pursuance of the above resolution, the committee have visited the Arch Street Prison, and various other public institutions calculated for the reception of criminals and paupers, debtors and untried prisoners in the city and county of Philadelphia, and have procured from various sources of authority, the following details:

The first case of cholera that occurred in the Arch Street Prison, was noticed on the 13th of July, which, although prescribed for at the time as cholera morbus of an ordinary character, would, in the opinion of the physician who attended the prisoners in that jail, have afterwards been considered an undoubted case of epidemic cholera. This disease is said to have first appeared in Philadelphia on the 5th of July, but did not fairly make its attack until the 27th or 28th of that month, although several cases were scattered about the city and its precincts. It raged most fiercely there, from about the 4th to the 22d of August. On the 30th of July, the day the epidemic cholera broke out decidedly in the Arch street jail, there were confined in the criminal apartments of that prison, 170 men, and 110 women, besides 30 in the debtors' apartment, making a total of 310 persons of different ages. The committee are informed, that the general average of commitments to the criminal side of this prison, is from 12 to 15 a day. There were 12 new prisoners who entered, upon the 29th July, and 24 were sent in on the 30th. In the month of June preceeding, there had been 541 commitments to this prison, during the month of July, 598; in August, there were 208; and in September, 437.

The disease first appeared in the women's apartments, in the person of a female vagrant who had only been a day or two in the house. Those prisoners who had recently entered the jail, suffered the most; and were generally affected the first by the cholera; in some cases within twenty-four hours after their confinement. They were, however, principally old vagrants, who were constantly in and out of the jail. Some, also, who had been two years confined there, died of the disease.—The prisoners were principally untried or

vagrants. The other convicts did not exceed eight or ten, who were chiefly imprisoned for minor offences; one was a prisoner of the United States, for passing counterfeit money. On the 2d of August there were 13 new cases of cholera in the jail, and 4 or 5 old cases; there had been two deaths, and the number of the diseased appeared rapidly increasing. The rooms used as hospitals became crowded, and the sick were brought into the great hall. There was an interval of several days before the epidemic occurred on the men's side: when it did, it seemed, according to the description of a keeper, "like a shock of electricity."

The cries, shrieks and groans of the sick and dying; the frantic desperation and agony of those who were eager to escape, and the difficulty, at the moment, of deciding upon all the points of most interest to the welfare of the prisoners and that of the public; are described as in the highest degree distressing and embarrassing to those who had them in charge. On the night of the 4th of August, the diseased were so numerous upon the floors of the extensive halls, that the keepers had difficulty to avoid treading upon them, as they performed their duties. About 80 persons were lying dead, dying or suffering, with this epidemic, in the building. The dead were necessarily kept all night in the jail, because the keepers feared to open the doors, lest the prisoners, for whose security they were responsible, should attempt to escape.*

On the "fatal Sunday," as it is called at the prison, the 5th of August, the chief keeper, bewildered with fatigue, and almost in a state of derangement, called upon the Recorder of the city early in the morning, to report the condition of the prison, and to beg that the prisoners might be released. The urgency of the case was such that, after consulting and arranging with some of the inspectors of the jail, many of the prisoners were discharged upon their own recognizance, with a protest by the magistrate, that he had no legal right to do so, but that, in his opinion, the necessity of the case amply justified the act.†

Some of the most medicable of the sick were sent to the cholera hospitals provided by the city Councils, in anticipation of the accession of this disease. Thirteen of the most serious offenders were taken, guarded, to a watch house in the vicinity; some medical gentlemen and others, private citizens, as well as the county commissioners, advanced sums of money to release the debtors, or become surety for them; and as speedily as possible, aid was volunteered or obtained to attend the sick, cleanse the prison, and make other necessary and suitable provisions.

* By act 4th April, 1807: "If any jailer shall be convicted of having, by his negligence, suffered any prisoner committed to his custody to escape, he shall forfeit and pay, *for every such offence*, a sum not exceeding three hundred dollars."

† By a law of 10th April, 1799, the judges of the Supreme court, or any two of them, are authorized to direct the sheriff to remove from any pestilential danger, the prisoners who may be confined in the jail of the city and county of Philadelphia, to such place of safety as they may think proper, by application of a majority of the inspectors.

The behaviour of the prisoners preceding their discharge, is thought worthy of notice. They twice, in a furious and mutinous manner, rushed towards the keeper to inquire, "if they were to be kept to die there?" He promised promptly to make arrangements for their relief, by which they were in some degree pacified. The keeper remarked to the committee, that it was surprising to see the exertions of the prisoners, without hesitation, to assist each other "showing they still possessed humanity to a very great degree;" some were taken sick while nursing and rubbing others. The agony of the spasms caused the most violent "screeching, screaming and bellowing;" such was the language of an eye witness, who said they generally cried out excessively when first attacked. There was no shrinking from their attentions to one another, although there was no power during the day to compel those unaffected to relieve the sick, for they could have sought refuge in the yard of the jail; but the keeper "never heard an instance of refusal by a prisoner, during this period, to assist the sick when requested to do so." Five prisoners about to be discharged on Sunday, agreed to remain upon a promise of compensation; one of them received ten dollars, the others five dollars each; these men were confined upon charges of larceny; they were urged by their wants to remain. It was considered meritorious in them to do so, as they must have been strongly tempted to depart, by their experience of the fatal effects of the disorder. They showed great willingness to aid in the most revolting duties, for this comparative trifling remuneration; none of them, we are told, became sick of the cholera, although they were generally intemperate.

Of the thirteen prisoners selected as the most criminal, not one died of the disease; they went out of the jail on Sunday morning, and in some days after were returned again, when the prison had been purified. A robust black man of violent character, confined for an assault for six or nine months, and who was described as getting drunk occasionally, was promised his pardon if he would help out with the dead, which he did. The Governor pardoned him; he was not affected by the disease.

On the night of the 4th of August, two cart loads of coffins were sent to the jail, by the coroner, whose certificate declares "that between the 2d and 10th of August, he caused to be buried from the Arch Street prison, forty-nine persons." This account of the number of deaths, we are assured, is the lowest; for the coroner is not prepared to say there were no more; the grave digger cannot certify with accuracy; and the keepers, overcome with fatigue or disease, and the excessive accumulation of duties, are not positive of the number who died. The chief keeper attempted to register them, but was unable to proceed. Prisoners enter the jail at different times by different names, which are placed upon the books, according to their declarations, although they are known to their fellow prisoners by other names.—It was impossible, upon such an occasion, for the usual investigations to be made. We have, therefore, no accurate enumeration of the deaths during this terrible catastrophe. Indeed it could not be expected that the ordinary details of duty should, under such circumstances, be fulfilled. The keepers, nurses and physicians, were generally subjected to the influences of the epidemic, and in a greater or less degree suffered from them. A member of the society for alleviating the miseries of public prisoners, who carefully investigated this subject, thinks the total mortality until the 10th August, amounted to fifty-two, including those sent to the cholera hospitals, those in the prison, and two who were found dead on the roads some distance from the city, having sunk under the disease after being discharged from the jail. About ten died after that date, making, by his estimation, a total of sixty-two deaths. Another gentleman of this society states the total number at about eighty, and a third mentions

fifty-seven. It is impossible to decide the exact number who died.

The ordinary daily allowance for each untied prisoner, or vagrant, and disorderly, profane and intemperate person confined in the Arch Street Jail at all seasons, is, for breakfast, five gills of molasses and water, and half a pound of bread, made of rye and Indian meal; for dinner, one pound of rye bread each, and five gills of soup—the soup is made of five quarts of Indian and five quarts of rye meal—and eighteen pounds of beef for the average number of prisoners usually confined there, which exceeds two hundred and fifty. They have no allowance for supper, but they sometimes retain the bread, to be eaten in the evening. It should be mentioned, that two bushels of potatoes are also boiled each day, which, distributed among the prisoners, give them two or three a piece. At some seasons of the year, seven quarts of rice are substituted in the soup, instead of the allowance of potatoes. The county commissioners allow thirteen cents per day for each untied prisoner. The supplies are furnished by contract.

A bed is seldom seen in this prison; there is no provision of this kind made by law for either sex: In winter two blankets are provided by the county, and although the law declares "that all prisoners shall have liberty to provide themselves with bedding, food and other necessaries, during their imprisonment," yet very few among the whole number take advantage of it: Some are in daily expectation of going out to trial or by bail; but a great majority are too destitute to derive any benefit from the permission.

There are nine locking up rooms on the men's side, and four for the women, the size of which is about twenty feet square—in these rooms the prisoners are confined at night. During the day, two large apartments serve them, in which the blacks are allotted one side, and the whites the other; the sexes being in different divisions of the prison. A yard, surrounded by a high wall, within which are the necessary offices, encloses them within narrow limits.

The Arch street jail is the common receptacle of untied prisoners of every description, and has always been considered one of the worst schools of vice. Highway robbers, murderers, burglars, counterfeiters, vagrants, and those committed for petty larcenies, are mingled with some confined for the most trivial inadvvertencies, to whom are occasionally united those innocent of the offences laid to their charge, against whom are to be found men who, in the language of a keeper, "will swear for a glass of grog." From a state of the criminal business transacted in three of the courts of the city and county of Philadelphia, for the year 1829, it appears, that of 434 charges presented to the Mayor's court, only 184 were followed by convictions. In the court of quarter sessions, the whole number of bills was 569, and 204 convictions; and in the oyer and terminer 28 bills and 13 convictions. The principal offences laid to the charge of the prisoners were assault and battery, larceny, and keeping tippling houses. Prisoners, we are told upon good authority, are usually brought in, *on the first offence*, for some trifling impropriety, the result of misfortune, want, or sudden excitation, as often as of natural propensity to crime, who, although at first highly disgusted with their situation, soon become so easy in their manners and conversation, that the keeper can scarcely distinguish them from old offenders. For the most part, however, those confined in this prison, as vagrants, disorderly or idle, exhibit a state of constitutional infirmity and disease, and are described as having generally less means of comfort out of prison, than it affords them. Many are preserved by coming to the jail as a home, who often go out at the end of thirty days, apparently much improved in health and appearance, but in a few weeks return again, bloated with intemperance, and scarcely to be recognized. In summer, such of the vagrants as

get drunk, lie about the streets, and are taken up by the watch and sent to this prison; in winter, they seek shelter from the cold in stables, sheds, grog shops and cellars, and generally find their way to the alms house. Disorderly persons mostly come in the summer. Those who have ever been confined in this jail for slight offences, will have the finger pointed at them by the hardened villain whenever he meets them abroad; for he takes delight, and conceives it a point of duty, to recognize one he has ever met in the jail. Slight offenders are often indoctrinated by those grown callous in vicious habits, who will practice them in picking pockets, give them an account of the manner in which they enter stores with false keys, and other means, teach them how to rob by adroitly knocking down the unwary; narrate the various modes of stealing horses; tell of their escapes and adventures, and how to avoid the penalties of the law by shifts and contrivance. They interest the feelings, prejudices and passions, of those who consider themselves aggrieved by their confinement, and rejoice to prepare them for future depredations upon society. The most loathsome and unnatural propensities are sometimes indulged by these wretched objects. Schemes for escape, and for the commission of the highest offences, are contrived in the prison. The ingenuity and tact which are exhibited, often prove too seductive upon the minds of those, whose moral and physical condition are alike depraved.

From the sketch we have given, it may be understood how difficult, under all circumstances, it must have been, indeed almost impossible, to have prevented the introduction of an epidemic disorder, of such wide prevalence as the cholera, among such a population, confined and crowded within the narrow limits of the Arch Street Jail. With the exception of the free use of chloride of lime, and having the apartment in as cleanly condition as possible, the committee are not aware of any measures of precaution used by the inspectors of the prison, to anticipate the cholera, until it absolutely broke out in the jail. We are informed that a few days before the disease appeared, an attempt was made to induce all who entered to wash themselves. Many who were the most miserable resisted this rule.*

A requisition for an increase of food was first given on the 2d of August. It was for half a pound of meat for each person daily, three days in the week to be boiled into soup lightly seasoned, and salt beef two days in the week. But these regulations, from the confusion at the time, could not be properly attended to. A pint of coffee was ordered for each person at breakfast,

* In order to prevent the introduction of contagious disorders, according to an act of 5th April, 1790, "every person who shall be ordered to hard labor shall be separately lodged, washed and cleansed, and shall continue in such separate lodging until it shall be certified by some physician that he or she is fit to be received among the other prisoners. And if such a person be a convict, the clothes in which he or she shall then be clothed, shall either be burnt, or at the discretion of two of the inspectors, be baked, fumigated, and carefully laid by, until the expiration of the term for which such offender shall be sentenced to hard labor, to be then returned to him or her."

By a law of the 23d Sept. 1791, "the prison inspectors appointed in pursuance of an act in such case provided, and of this act, shall have power, with the approbation of the mayor, two aldermen of the city of Philadelphia, and two of the judges of the supreme court, or two of the judges of the court of common pleas of Philadelphia county, to make rules and regulations for the government of all convicts confined in said prison, not inconsistent with the laws and constitution of this commonwealth, and to prescribe their allowance of provisions, ascertaining the quantities by weight and measure, and not by piece."

and for supper, a pint of black tea, sweetened with molasses without milk. Straw was directed to be made into beds with coarse linen, but this arrangement was necessarily delayed; the cholera was then raging in the prison, and the precautions came too late. Ginger tea was prepared for the prisoners, but they would not generally use it; although the pumps were locked for a short time, in order to urge them to take the tea, they preferred water.

It is the opinion of Dr. Buck, the physician who had charge of this institution, that nothing could have prevented the introduction of the epidemic into the Arch Street Jail; but it may be believed by the experience gained upon that occasion, it would be possible to prevent the same disease from proceeding to the same extent, by preparations for an improved description of food for a sufficient period previously, by attention to personal cleanliness and clothing, and by removing a portion of the prisoners, so as to confine the number within a larger space. The committee do not pretend to offer a decision upon the full efficacy of such a plan in the Arch Street Prison; but in the Walnut Street Prison, the Eastern Penitentiary, and the House of Refuge, where no cases of this disease were reported, (with one single exception, which occurred in the Walnut Street Prison,) the improved diet, habits of cleanliness, and purer air, were considered the principal means of exemption. It must, however, be acknowledged, that other causes also operated in favor of these institutions.

Many persons in the course of the year, gain admission into the Alms House, soon after their discharge from the Arch Street Prison, some of whom are subject to a particularly low form of typhus fever, requiring the early and free use of tonics and cordials. The physicians there say, that the constitutions of a great majority of the persons who die in the Alms House, are so enfeebled by their vicious habits, as to be unable to withstand what, in those of regular habits, would be considered mild diseases. The committee are informed that "very few are sent directly from the Arch Street Jail to the Alms House; perhaps not more than 20 in a year."

The total number of commitments to the Arch Street Jail, in 1829, was 3017, of which only five persons died in prison. The total number of commitments in 1810, was 3932; total of diseases relieved or cured, 751, and 5 deaths. The total number of deaths in 1831, was 15, an amount unusually large, occasioned principally by typhus and bilious fevers. The chief keeper informed the committee, that for seven years the deaths had not exceeded that number, and that the average was not so high as 10 or 12 per annum. The total number of commitments in 1831, was 4506, of which 2503 were charged with being disorderly, idle, and disturbers of the peace, or were convicted as vagrants, or for profane swearing and intoxication. Of the remainder, 1187 were for assault and battery, for keeping tippling houses, and similar charges, while 816 were confined upon charges of burglary, larceny, passing counterfeit money, and other offences punished by fine and imprisonment to hard labor. In 1832, the total number of commitments amounted to 4515. It appears that the largest number are usually sent into the Arch Street Jail during the summer months.

According to the report made to the Consulting Medical Board of Philadelphia, by Dr. Samuel Jackson, "the commencement and progress of the cholera were in the character of a wide spread epidemic, suddenly invading an extensive district, indicating the existence of an active epidemic influence or agency, operating at once on the mass of the population. In almost every case, the disease was called into existence by some exciting cause, most commonly error in diet." The committee are assured, that in the Eastern Penitentiary, during the prevalence of the cholera in Philadelphia, many, perhaps all the prisoners, 97 in number, were

affected with bowel complaints, some severely. Great and unusual care was exercised, as to their diet and cleanliness, and no case of epidemic cholera occurred within the walls. The prisoners were entirely ignorant of the existence of the cholera in the city, *and are so yet!* The daily rations of the convicts in the Eastern Penitentiary, are, for breakfast, one pound of bread, made of two-thirds rye and one-third Indian meal, and one pint of coffee with milk and sugar, or molasses: for dinner, three-fourths of a pound of beef without bone, one pint of soup made of the beef, and one pound of potatoes; at supper, one pint of Indian mush, and one-half a gill of molasses. The molasses is given monthly, and the prisoners use it at pleasure. They receive as many potatoes at dinner as they want, and as much mush as they ask for at supper. Particular attention is paid to the cleanliness of the person and clothing—of the cells and bedding. When sick, the diet of the prisoners is varied, according to the direction of their physician, who attends regularly.

In the Walnut Street Prison, where about 400 convicts* were confined, but one case of epidemic cholera was reported. This was a prisoner of worn out constitution. He had been confined for five years, and for the last three was in a state verging on death, from the effects of previous excessive intemperance. He swallowed about four oz. of spirits of turpentine, (which had been given by order of the physician, as an external application,) on account of its stimulating effects, and died, in spasms, six hours after. The prisoners confined in the Walnut Street Jail, have ordinarily, each, one and one-fourth pound of bread, and one-half a pound of meat daily, besides soup, potatoes or rice, mush and molasses. No great variety of food is usual in the different seasons, except that there is generally a larger supply of vegetables in the summer. During the last summer, however, being thought objectionable, they were interdicted, and the quality of the bread, "both in material and manufacture," was improved. Molasses and water was denied to the prisoners, and several additional sleeping rooms were opened for their use. While the cholera prevailed in the city, affections of the stomach and bowels, as diarrhœa, dysentery, and ordinary cholera of a severe character, became much more prevalent in the Walnut Street Prison, than the attendant physician, Dr. Rache, had ever seen among the prisoners, "shewing the operation of the same mysterious cause which was affecting the citizens at large," and which only required a highly susceptible condition of the prisoners to render it capable of producing the genuine epidemic among them.

In the House of Refuge, where a large number of children were confined, with a sufficient quantity of proper food, and among whom cleanliness, occupation and instruction, are suitably attended to, there was no case of epidemic cholera.

In the Pennsylvania Hospital, before the cholera occurred, vegetable diet was greatly restricted; none but potatoes and rice were given, and no fruit was allowed, as has been usual: Molasses was ordered to be omitted, and the patients were dressed more warmly. To those on a low diet, for the treatment of insanity, broth was given, and purgative and emetic medicines were suspended in general practice. The prevalence of diarrhœa was also noticed, during this period, among the patients in the hospital, and principally among the lunatics, whose condition rendered them less able to appreciate the necessity of precautions. Among a population exceeding 100, there were but six cases of epidemic cholera, which presented themselves in separate and distinct portions of a very extensive range of buildings, between the 9th and the 14th of August: Two of these cases died—all were insane or idiotic.

In the Philadelphia Alms-house, where the character and habits of the greater part of the inmates are depraved by excesses and disease, there were 193 cases of epidemic cholera, 89 of which proved fatal. The first case occurred on the 25th July; the cholera ceased on the 23d August. It was chiefly confined to aged persons and the intemperate—several idiots and lunatics were also its victims. Those who recovered, the physicians state, were not in the collapsed stage of the disease, except three persons. The character of those who died, was that common to most of the inmates of the house,—who are 80 out of 100—intemperate. Many of them had laboured under various diseases for several years.

When the committee visited the Alms-house, there were in that institution,

	Men.	Women.	Children.	Total.
White,	559	408	34	1001
Colored,	69	55	15	139
	628	463	49	1140

For six months in the year there are about 600 medical and surgical patients in the Alms-house, each month; for the rest of the year, about 400 each month. *A majority are natives of foreign countries.* The men are generally laborers, and of various trades. The committee cannot refrain from offering a tribute of respect to those excellent "Sisters of Charity" who, under the protection of their simple habits and kind hearts, so freely exposed themselves, during the prevalence of the cholera in the Alms-house, for the relief of the destitute and the diseased who suffered there. These ladies, who came to the assistance of the guardians of the poor from a sister state, made very little change in their manner of life, in anticipation of the severe duties they voluntarily undertook to perform. On Fridays and Saturdays, however, as on other days of the week, they ate meat, contrary to the practice of those who strictly conform to the rules of the Catholic church, which upon this occasion were wisely suspended by the Episcopal authority of the district. They refrained from fruits and vegetables, by the advice of physicians; but they employed no wine or preventive medicines. If possible, they retired to rest at 9 o'clock, their accustomed hour, and rose at half past four in the morning to attend the sick. They were directed to wear a flannel dress, but did not do so until after the cholera had subsided. One, only, had slight symptoms of the disease, which were readily relieved.

It was remarked to the committee, during their investigations, that the *sudden* increase of food which was given after the cholera had begun, and which was eagerly devoured by the prisoners, may have assisted the excessive fatality of the epidemic in the Arch street jail, on the 4th and 5th of August. But in looking over a statement of the number of persons attacked by the disease in Philadelphia and the Liberties, from the 27th July until the 22d of August, we are struck with the fact of the *very rapid increase* of cases and of deaths, wherever the disease occurred or was treated. Thus, on the 1st of August there were 21 cases and 8 deaths reported: on the 2d, that number was *nearly doubled*; there were 40 cases and 15 deaths. The greatest number of cases reported to have occurred in private dwellings in one day, (viz: 94) appeared on the 9th and 13th of August; while on the 8th there were but 43, and on the 12th, 66 cases in similar situations. The greatest number in the cholera hospitals, was 86, on the 6th of August; on the 5th, there were only 28 in these hospitals.

The largest number in the Alms-house, (viz: 35) were found there on the 8th of August: on the 7th but 17 cases. The greatest number in the Arch street prison, reported on one day as new cases, (viz: 45) were on the 6th of August: on the 4th, there were only nine new cases reported in that jail. The largest total number of cases, (viz: 176) is noticed on the 6th of August:

* There were confined in Walnut street, when the committee visited the prison, 310 men, 54 women, and 45 boys—total 409.

on the 5th, the total amount was 66: and the greatest number of deaths, (viz: 73) is stated on the 7th of August; while on the 5th there were but 26 deaths in the City and Liberties. We suppose these reports to have generally been made one or two days after the deaths. Thus it will be seen that the number of cases or of deaths, in all the different locations and practice, was generally less than one half, only a day or two preceding the dates set down for the greatest mortality. So that whatever effect may be justly attributed to the improved diet of the prisoners, it would seem that a *very sudden* increase of the number of deaths was universal, wherever the disease prevailed.

The committee, besides the observations they have already made upon the crowded condition of the prison and the character of the food afforded to the prisoners during this precarious season, must remark, that the very high wall which surrounds the apartments in which they are confined, prevented ventilation. The privy, which almost adjoins the men's day room, was thought very offensive, notwithstanding the efforts made to purify it. Some fetid sheep skins and hair, in small amount, were found in the basement story, upon examination, after the cholera; and the clothing was deficient, as great demand for flannel dresses was made by the attendant physicians, after the epidemic had ceased, which were liberally supplied by the prison society. The prison was otherwise well cleansed before the distemperature ensued.

The vagrants and disorderly are sentenced to the prison, according to acts of 21st February, 1767, and of the 5th April, 1790, "to be kept at hard labor, for any term not exceeding one month, being legally convicted as by law directed." They have a task given to them in picking hair or moss for the upholsterers, taking the burs from wool, and shearing sheep skins. Others who are confined before trial, often voluntarily join in this work. The keepers say there is seldom difficulty to oblige the prisoners to attend to it. It may be here observed, that none of the committee, or of the other members of the Legislature who accompanied them to the Arch street jail, entered the apartment in which the untried prisoners and vagrants were confined during the day, without the most marked disgust at the filth, destitution and *personal* misery in which the majority of the prisoners were found. Many of the visitors supplied themselves with cigars, and some felt the necessity of other stimuli to overcome the nausea which the confined air of the room, (on the 26th Dec.) and the sight of the objects confined there, induced in them. The general sensation was one of desire to escape.

The committee are assured, that for the purpose of obtaining costs from many of those who are entitled vagrants, idle and disorderly, which class composes more than one half of the prisoners in the Arch street jail, the same persons have been brought to the prison *three several times during one month*; although the first time the prisoner was sentenced for 30 days! In some other cases, the first intimation which the keeper has of the conviction, is derived from the order for the release of a prisoner, whom he has *never seen*!

As soon as the individual who has been sentenced, or his friends, can in any manner procure money to satisfy the rapacity of some of the magistrates, an order for release is made out, no matter how deserving the prisoner is of confinement, for the public welfare or his own. The keeper of the prison does not think himself authorised to dispute this order. After a summary conviction of vagrancy, idle or disorderly conduct, for 30 days, there is no legal provision for the discharge of a prisoner, except by his entering bail to appear before the next quarter sessions or mayor's court. The former keeper of the vagrant department had returned the orders for discharge to the magistrates, without releasing the prisoners, when they were brought back again, endorsed "security entered." This certificate, that bail had been taken, costs paid and appeal entered, that the

individual might appear before the court, the keeper considered himself bound to respect; but here the affair generally ends. There is only *one* instance discovered among several thousand releases, where an appeal has been pursued, by returning the recognizance to the court.

The committee understand that a man legally sentenced by a magistrate to 30 days imprisonment, is a *convict* for that term, and that the magistrate has no right to set him free after the conviction. The temptation of the costs, it is to be feared, is too frequently the incentive both of the imprisonment and of the release.

In the course of a year, some of the *same* persons are received into the prison ten or fifteen times; more particularly those charged as disorderly and vagrant. A very considerable number are sent there two or three times, often serving but a few days, when the payment of the costs, often procured by means of violence or distress, obtains their release.

It has been decided by the Recorder of the city of Philadelphia, upon writ of habeas corpus, that the commitment of a prisoner by a magistrate, to answer at the next court of quarter sessions for a breach of the peace by "*disorderly conduct*," is not a legal commitment. The mode of committal by some of the magistrates, was therefore changed, and the *same description* of persons are sent to jail upon a charge of *riot* or *affray*, which are indictable offences, and thus a chance for the costs is still secured. Although the magistrates are not entitled to costs in criminal charges, until the case is decided by the courts, still the expectation of a *favorable* result, crowds the jails, and fills the courts with causes which needlessly increase the amount of wretchedness and of offences.

An inspector of the prison, who has at different times served in that capacity for upwards of 20 years, informed the committee that he had known about 80 of this description of persons, confined for riots or affrays, who had *not* been able to pay their costs, discharged at once from the prison, without being brought before the court, after a confinement, in the situation we have described, for three months; and that the average, at every calendar, of those who are not called up, is about 20. Sometimes the keeper has them previously released by prosecuting attorney. They are let loose from the jail, highly excited by their wants and miseries, to prey upon society. When they are thought *worth it*, they are again returned by the same magistrates, the competition among whom appears to be a monstrous evil, though probably not so great as the facilities which some of the present laws afford to them. Equitable laws *may* be perverted by improper administration; but unjust laws *must* operate oppressively upon the people, if put in force for the *sustenance* of the magistracy.

It is believed that most of the cases of imprisonment which occur for minor offences would not be heard, (without any prejudice to the interests of society,) except for the costs which accrue upon them—and hence an advantage is given to the magistrate who transcends the proper exercise of authority, over him who respects the interests of the community. Out of 300 cases of assault and battery which in three months were brought before the Mayor and Recorder of the city of Philadelphia, 15 only were considered of sufficient importance to be sent to court, and the rest were settled.

By the act of 17th March, 1806—"Any justice of the peace, either before or after recognizance has been entered for the appearance of defendant before the next court of Quarter Sessions, has power, at the mutual request of the parties, to dismiss a complaint of assault and battery, or assault only, making a record on his docket, for entering which he receives from the parties 25 cents: *Provided*, That the said justice shall be fully satisfied that the settlement of such complaint or charge will not injure the safety of the citizen or the peace of society."

In crowded cities and their densely peopled suburbs,

criminals form separate communities, regulated by their own customs, language and propensities. Does it not appear evident, then, that when men are thrust out of prison where they have been confined for trifling offences, in a worse condition than when they entered it, that they will be inclined to join themselves to these vicious associations? The operation of the administration of the laws should be to *prevent*, not to *increase* contentions or distress, and it is a question well worthy our consideration whether, *in such situations* particularly an advantage would be gained if the magistrate should receive neither fee nor reward from the parties. It is the opinion of many judicious persons, that the establishment of well regulated police courts, with salaried magistrates, of limited appointment, in daily session, would be less costly and more advantageous to the people.

Imprisonment should have for its aim the reformation, and the punishment in a degree to assist that reformation, of those who have perpetuated acts prejudicial to the welfare and safety of society.

However necessary it may be to restrain the voluntary criminal, and to correct him with decision, the means should always be regulated with great discretion. Cause and effect must be discriminated, as in other matters; and while we speak of the sanction which the Great Moral Law gives to punishments, we should not lose sight of the generous provisions it enjoins for the temporal comforts, as well as the practical instruction, of the destitute. If sufficient legislative provision is not made to prevent the extremes of physical want and suffering, and of ignorance, we may well doubt the propriety of the enactment of *severe* legal penalties. Where moral restraints are strongly insisted upon by law, there should be afforded (in accordance with the institutions of civilized society, and in order to effect this object,) *the means of resistance* to those temptations which, necessarily, naturally and forcibly affect those whom extreme want urges into mischievous actions, which oftentimes there is *no instruction* to correct. In the language of one of the admired writers of our country, "A new feeling of what is due to the ignorant, poor and depraved, has sprung up; the right of every human being to such an *education* as shall call forth his best faculties, and train him more and more to *control himself*, is recognized as it never was before; and government is more and more regarded as intended not to elevate the few, but to *guard the rights of all*."

In an address on the advantages of knowledge to the poorer classes, a celebrated author† declares, "I am persuaded that the extreme profligacy, improvidence and misery, which are so prevalent among the laboring classes in many countries, are chiefly to be ascribed to *the want of education*."

The following extract from the report of the warden of the Eastern penitentiary, lately presented to this House, exhibits the influence of the causes we have referred to, in a most striking manner. "Too many of the prisoners, indeed most of them, on *first conviction*, are either neglected youths, thrown into the world *without education* and without friends—often the victims of bad masters—or *ignorant men*, the dupes of artful knaves, who know how to elude detection."

"The deficiency of *common school learning*, is greater than is generally supposed: of the 142 prisoners who have been received from the commencement, only four have been well educated, and only about six more who could read and write tolerably; and we rarely meet with a prisoner who has had attention paid to moral and religious instruction. The Eastern district that sends its prisoners to this penitentiary, comprises a population of about one million of inhabitants. During the 3½ years in which the law has been in operation, 126 persons have been sent here for all offences of a higher charac-

ter than larcency, and of the whole number, *but one* that can be called a master spirit in crime.

"Of 142 prisoners, the whole number received, 100 are known to be for the *first offence*, 10 are doubtful, and but 32 are known and believed to be old offenders.

"The general conduct and behaviour of the prisoners have been such as rarely to produce any unpleasant feelings on the part of the overseers towards them.

"Of the whole number of prisoners now in the Eastern penitentiary, received before the 1st of January, 1833, 38 were from Pennsylvania, 39 from sister states, and 22 foreigners."

It may be worth an inquiry, how far *the state of physical destitution, without education, calls into operation* evil propensities, and confines or disturbs the action of the moral sense. Men, and other animals, have *by education*, faculties developed, of which, otherwise, they might be almost unconscious, or never put to a designed use. Many of the best characteristics of our nature may be diverted from their healthful and profitable operation, by the combination of active, natural causes within our control. In the *leading out* of the several faculties, (which is thought to be the original signification of the term *education*,) we acquire an increased power to control the instincts we possess, of various kinds and in different proportions, all designed to effect some benefit to the individual and to society, *according as they are employed*. It is in this light, then, that we may consider *education to be essential and necessary to the prevention of what are called crimes*, which indeed are often the exercise of the most simple instincts, uncontrolled by knowledge, which is indispensable to exemplify their influence over social life. "Ignorance is thus the greatest enemy of morality."

It is highly proper that we regard with attention, not only the natural instincts and faculties which urge men to good actions, but also the *perversion of the same* faculties, which instigate them to evil tendencies. The moral law appears founded upon *the truth*, that man is incited towards actions prejudicial to his social happiness; or why was the commandment ever given, that man should *not err*? If he was not so disposed, the ordinance would appear to be unnecessary. But the commands, "*thou shalt not kill*," "*thou shalt not steal*," "*thou shalt not bear witness*," &c. plainly signify that *men are so inclined*; that they *had* committed deeds, which, exciting feelings of retaliation, led to warfare and disorder. And the law as clearly shows, that the contrary practices, lead to the temporal benefit of mankind.

There is another view of this subject, which it is considered proper to give. Other animals, besides man, exhibit many propensities of a similar character to those we call crimes in men, and which *we* might incline to imitate or justify, by *their acts*. The moral law draws the line between them, and intimates that man does possess the power of resistance, or may arrive at it. We cannot close these observations, however, without referring to the moral law as exhibiting the most distinct evidences that certain physical comforts are *essential* to morality. No where are the obligations for attention to the temporal wants of the necessitous, insisted upon with more firmness, humanity and policy, than in that law; and we cannot think that it was designed in vain. An abundance of food, cleanliness, protection from oppression or injustice, and the right of personal independence, are plainly indicated by the moral law, which shows that mutual obligations bind society together, and that injustice towards one portion must eventuate in *repeated wrong*. If, then, at the same time we exact the penalties of the moral law, (upon which our common and statute laws are founded) for crimes it has enumerated, we do not afford the facilities of physical, moral, practical and intellectual instruction, which the *same law enjoins*, to those whose only inheritance is the possession of their faculties, and their only means of subsistence dependent upon the exer-

*Dr. Channing of Boston.

†Rev. Robert Hall of Bristol, England.

cise of them—it must appear evident that society, as well as the criminal, has something to answer for. That proper attention to the physical, as well as the moral cultivation of persons in the poorest condition, is considered requisite to assist in relieving society from evils and expense which strongly threaten it, appears from the numerous, costly, and judicious arrangements already made, and preparing, by the various institutions in the city and county of Philadelphia.

The committee will point to the great improvements in penitentiary discipline, which already begin to exercise a beneficial influence in the state; to the establishment of a House of Refuge for juvenile offenders, highly calculated for their instruction and amendment, and where punishment forms so slight a share of the discipline; and to the new county prison erected with reference to solitary confinement, to contain those whose condition we have described in the Arch street jail, the cost of which is calculated at 220,000 dollars, and is designed to hold 430 prisoners; which number, it is hoped, a modification of existing laws may diminish.

The committee cannot omit to mention the new Almshouse, building upon the west bank of the Schuylkill, in the midst of a farm of 180 acres, containing a hospital for the sick, a children's asylum, and various work shops. This immense poor house, which is designed to accommodate three thousand persons should the demands of posterity require it, will possess separate dormitories for the individual inmates, and is estimated, when finished, to cost upwards of 550,000 dollars. Such vast preparations make us more sensible of the necessity of a *system of general and useful education*, to obviate the causes which so sensibly augment the demands for relief with the rapid increase of our population. And here the committee can give another practical illustration of the advantages of instruction, which they witnessed at the admirably conducted institution of the deaf and dumb. No one who has seen the intelligence and happiness which beams from the countenances of those deprived of hearing and of speech, by the education of their other faculties, can doubt the influences which kindness, instruction and occupation, exercise over our race.

Crimes do originate from the misery, the distresses, and the ignorance of the poor; to be prevented, there must be an improvement in their condition and information. The very sight of the prisoners in the Arch-street jail, gives an opinion of the operation of such causes. We fear that too frequently the combined influences of ignorance and of want, have more effect in causing their offences, than the voluntary desire to outrage the regulations of society. The farmer sees among his cattle some who appear naturally prone to vicious practices, but, it is most certain, that the want of suitable pasturage, and bad fences, soon teach the most gentle to trespass.

It may be inquired whether ignorance of the laws is, in no instance, a justification upon equitable principles?—for truth and justice should have the preference over a Roman proverb. The committee have sufficient evidence from their inquiries among the prisoners, that there is often an extreme ignorance, not only of the crime committed, and of its influence upon society, but of the time for which the sentence was passed, and the sum of costs, which, in many cases, was claimed as the only charge for sending the individual to prison. Ignorance, in such instances, is a heavier charge to the public than a sufficient education, which would withdraw the individual very much from the operations of these oppressive acts, without referring to the absolute interest which every state has in the intellectual and practical improvement of its citizens.

It becomes the duty of the legislature to regard carefully those great principles of our being which, among all nations, and in every age, have actuated mankind; and to investigate the causes of action which regulate our natural character, and affect so materially our hap-

piness in this life. The arrangements of government, and of the laws, it is now conceded, influence, largely, the condition of the people; and we have, in so many historical instances, witnessed the re-action of injustice and oppression, that it becomes manifest that all our interests are involved in preventing, controlling and amending abuses. In our country, where the principles of law are designed to be administered with reference to the individual obligations and rights of each citizen in the state, it is a matter of the highest moment that every exertion should be made, which it is in the power of those who enact laws, to contrive, to overcome the evils which poverty, crime, misery, and disease engender in society.

That the physical condition affects the moral character, there can be now no doubt, as well as of the reverse reaction. It has been witnessed in European revolutions, that the ignorant and base have avenged their degradation upon the wise and the virtuous, as well as upon the despotic and the oppressor. We may observe, that the expense incurred to modify evils, when they do occur, is always lessened by judicious anticipations.

While the committee are prepared to propose a legislative enactment for an increased supply of provisions and comforts, for the untried prisoners and debtors whom the safety of society, and the welfare of the state may require to be confined, and to place such persons at least upon an equal position with the *convicts*, it must also be arranged that the improvements suggested should not increase the disposition or facilities to misuse the public revenue, by encouraging idleness and profligacy; for it is thought that an improvement of the diet of the prisoners by law, would largely augment the amount of committals, so long as the magistrates have the power to send such a multitude of minor offenders to jail for their costs.

Unnecessary delays of justice, cause a real injury to the prisoner; in some instances greater than the offence he has committed against society. Some of our laws bear particularly hard against the industrious poor; many of them originated in the most illiberal, despotic, or profligate periods of Roman and English history, and we may allege, that enactments made at the termination of the civil wars of Great Britain, when political and religious dissensions had exasperated all parties in the state, are not adapted to the present condition of society, nor to the institutions of this state. Such are the laws which affect the minor criminals, and the authority which magistrates exercise, in many instances, over the unfortunate. The late act of Assembly which provides for the appointment of Aldermen in the county of Philadelphia, makes no alteration in the laws which regulate their actions; and even good magistrates cannot well administer bad laws.

The intemperate form so large a portion of the prisoners who are committed to the jail, that a remark upon their condition naturally suggests itself. Intemperance does not appear to be justly an aggravation of crime in all cases, but to result in many from disease, misfortune, severe trials, and distress. The habit once contracted, becomes so firmly established, that aid beyond the volition of the diseased individual appears requisite for reformation; and instances have been known where confinement has been requested by those who felt their incapacity to resist the powerful instigations of the stomach. In some persons, this state of desire for intoxicating liquors, is so nearly allied to the temporary insanity, that we scarcely know how to discriminate them; and when we recollect that eminent physicians have declared "the desire to drink strong liquors is hereditary," we are equally at a loss to distinguish the line of voluntary and involuntary offence. In making this observation, we do not attempt to vindicate intemperance; but rather hope that the knowledge of the fact we have mentioned, may cause the exercise of a moral restraint in those whose affection for their offspring still maintains its natural and designed influence.

The committee consider one object very necessary to be stated, that whenever it is essential to restrain the liberty, there should always be afforded the means of industry to the prisoner. If a prisoner, who was innocent and poor, had credited to him the proceeds of his labour while in jail awaiting his trial, he would be less destitute when discharged, and both he and the public would reap the benefit of such a provision: if found guilty, the county would be advantaged, and the time of confinement before trial might be deducted from the term of the sentence. Those who were guilty would not, it is thought, generally, object to work if able, because, the refusal to do so, might appear a presumptive evidence of guilt.

The committee, in conclusion, believe, there are causes connected with the moral and physical deficiencies of a large body of the poor, and the ignorant, which will require the assistance of *general society* to regulate. There are others in the character of some of our laws, as well as in their mode of administration, affecting, disadvantageously, the poorer portions of the community, which peculiarly expose them at all times to the influences of epidemic disease, and unduly increase the number who tenant the jails.

NOTE—From the report of the county commissioners for the year 1832, it appears that the amount charged to the House of *Correction*, for the support, alone, of vagrants and untied prisoners, was \$14,900 31
To the debtors' apartment, for the support of poor debtors, and the keeper's salary, 1,996 34

\$16,896 65

To these sums are to be added various expensive contingencies.

BANK OF THE UNITED STATES.

Report of the Bank of the United States, to the Committee of Ways and Means of the House of Representatives—January 28, 1833.

Concluded from page 166.

WESTERN DEBTS.

In the Report of the Secretary of the Treasury, of the fifth December, 1832, he enumerates among the causes which made him anxious about the security of the Bank as a depository of the public funds, "the great amount of the Bank's transactions, especially in its Western Branches;" and a special agent was sent to examine the operations of the Bank in the Western States, as being objects of particular uneasiness.

This ill opinion of the western debts was unexpected, because in his report of the last year, the Secretary, in enumerating the merits of the Bank, was pleased to say: "To these may be added the knowledge the present Bank has acquired of the business and the wants of the various portions of this extensive country, which being the result of time and experience, is an advantage it must necessarily possess over any new institution." In the course of this year, the debt in the Western States has been considerably diminished; and the judgment which has declared that the loans of last year were deserving of praise, it was presumed, would have exempted from censure the smaller loans of the present year. The effect of such a declaration, not on the Bank, but upon the character and credit of the country generally, and more especially upon our western fellow citizens, is deeply to be regretted, since it may inflict upon them a lasting injury.

The western country is blessed with a fertile soil, adapted to every variety of culture, and with an intelligent and industrious people, who need nothing except the assistance of pecuniary capital for the full development of their resources. Knowing this, the Bank has willingly devoted a large share of its means to the use of that part of the Union. Believing that the commercial

credit of the country is the common property of the Union, it has endeavored, on all occasions, to sustain the reputation of the State Institutions, and to aid the State Governments in their efforts to attract the investment of foreign capital. Of the seventeen millions of loans made by the State of Pennsylvania, nearly the whole is furnished from Europe. The loans of Ohio and New York, are similarly situated; and at this moment, the States of Alabama, Tennessee, Ohio, and Indiana, are endeavoring, either by the direct responsibility of the State Governments, or through the agency of banking institutions, to procure the use of foreign capital. At such a moment, a declaration by what is presumed to be the highest financial authority in the Union, that the Bank of the United States is an unsafe depository of the public funds, and that this insecurity arises mainly from its loans in the Western States, is calculated to destroy the confidence of European capitalists, and to impair the credit of the Western States, and the Western Banks. As the common friend of the solvent State Institutions, and to a certain extent identified with the general credit of the country, to the Bank of the United States it especially belongs to remove so injurious an impression, and to bear a willing testimony to the ability and the punctuality of its fellow citizens in the Western States; in the course of its connexion with whom, the Bank has met with few losses, and who have uniformly displayed an honorable punctuality in their engagements. The desire to render them justice, induces the Committee to enter into some details in regard to the debts of the Bank in the Western States. The following exhibits the amount and distribution of them, by the monthly statement of the first of January:

	Loans.	Bills of Exchange.	Totals.
Lexington, Ky.	\$ 916,230 40	845,426 54	1,761,656 94
Louisville,	2,165,656 49	1,969,411 48	4,135,067 97
Cincinnati, O.	2,830,821 92	542,332 89	3,373,154 81
Nashville, Ten.	1,767,179 17	1,787,466 00	3,554,645 17
St. Louis, Mo.	566,361 24	74,620 48	640,981 72

\$8,246,249 22 5,219,257 39 13,465,506 61

These loans have been made by Boards of Directors selected in their several residences with great care, and composed of the most respectable inhabitants of the neighbourhood. They act under a feeling of strong and habitual responsibility, and they are required to make a semi-annual report of the situation of the debts in a form which cannot fail to secure to it a deliberate examination. In regard to these debts, the returns from the offices respectively, on the 1st of December last, contain the following certificates:

"The undersigned hereby certify, that they have carefully examined in detail, the lists of suspended debt and real estate at this Office, and are of opinion that the classification of the debts—the estimated 'probable loss' of principal on each debt of the 'doubtful and bad' classes, throughout the lists, with the 'estimated present value' of the real estate, are all correctly made, as therein stated. That the 'explanatory remarks' opposite to each debt, give an abstract of the measures which have been pursued within the last six months for its recovery or security; and that the 'recapitulation' exhibits in the aggregate, (including the losses chargeable to the contingent fund,) all the losses at present known or apprehended on the inactive debt at this Office. And that of the active or current debts growing to maturity, dollars is considered 'doubtful' and upon which we apprehend there will be ultimately a probable loss of dollars.

, Cashier.

, President."

} Committee.

"Office Bank of the United States,"

The latest returns, thus certified, of the losses at these several Offices of the above debt, are as follows.

Lexington,	\$36,486 87
Louisville,	7,734 38
Cincinnati,	16,952 59
Nashville,	7,744 25
St. Louis,	No loss

\$68,918 09

The proofs of the general security of this debt, are confirmed by a single circumstance, which seems entirely decisive; which is the actual payment of such a portion of it as was required from the debtors. For example, on an average of ten months past, the local loans in Kentucky, Ohio, Missouri and Tennessee, have actually been paid to the amount of \$3,532,104 63, out of a sum of \$11,257,862 18. Thus the Bank had lent in Tennessee, at the Branch at Nashville, On the 12th of October, 1831, \$3,137,870 93 By Jan. 2d, 1833, it had been reduced to 1,640,071 20

A diminution of \$1,497,799 73

At Louisville, on the 2d of February, 1832, the loans were \$2,682,629 50
On the 12th January, 1833, they were only 2,078,906 19

603,723 31

At Lexington, they were, on the 16th July, 1832, 1,333,530 66

And, on the 12th January, 1833, 773,865 37

559,965 29

At Cincinnati, on 19th January, 1832, 3,366,068 00
On 10th January, 1833, 2,675,701 80

690,366 20

At St. Louis, on the 18th June, 1832, 737,763 09

On the 7th January, 1833, 557,212 69

180,550 40

Making an actual reduction of debt of \$3,532,104 93 Which is an actual diminution of about one-third of the original debt within an average time of ten months, which was reinvested for remittance in bills of exchange. These comparisons are made from the highest points at which the loans were within the course of fifteen months, so as to show the greatest reduction. The reduction of these same offices, calculating it from January, 1832, to January, 1833, was \$2,138,065 47, while during the same period, the domestic bills had increased \$657,004 58, making an actual reduction of investments of all kinds, amounting to \$1,481,061 09, or nearly a million and a half.

In further illustration of the character of the western debts, the returns show that the total amount of domestic bills of exchange, purchased at the western offices, from the 1st of July, 1831, to the 31st of December, 1832, is \$16,397,094 93

On which the amount protested and unpaid is 13,863 36

Of which the estimate of probable loss is 1,500 00

But as some portion of this may be still running to maturity, and its fate undecided, it should be remarked that the whole of this estimated loss of \$1,500, arose out of the purchases during the year ending on the 1st July, 1832,—

Which amounted to \$10,137,722 22

On which the total amount protested and remaining unpaid, is only 13,863 36

The total losses only 1,500 00

The cause of a loss so little proportioned to the amount of the investment is to be found in the fact, that the exchange transactions of the western states, grow out of the actual business, the actual shipments of the produce to the place of its exportation, furnish-

ing to the Bank the triple security, of the personal responsibility of the shipper, the property which he exports; and again, the personal liability of the merchant who receives it at the place of exportation. As an illustration of this, the following statement of the exchange operations of the Bank at Nashville, may furnish an interesting example.

1831. October, \$366,512 63. When the few bills remaining out of drafts on shipments of the previous crop, had not yet run to maturity.

1831. December, \$1,062,094 84. When the shipment of the new crop had commenced, and the planters and ginners had begun to draw on their correspondents.

1832. April, \$2,759,754 93. When the crop may be considered to have all been shipped and drawn upon, and of course the amount of bills at the highest point.

1832. October, \$503,234 90. When the bills drawn upon the shipments of the last crop had mostly matured.

1833. Jan. 9th, \$2,049,612 02. The shipments of the present crop having progressed to some extent, the amount of bills is naturally swelled in proportion.

In respect to the ultimate security of the present debt in the western States, there is a case of a Branch actually closed, from which some estimate may be collected for the future. In the year 1821, the Branch at Cincinnati was closed with a debt of \$2,528,350 39. A large estimate of the probable losses was made amounting to \$851,000, but by judicious or fortunate management, this debt has been so secured by mortgage and judgments, and by compromising in real estate, that no loss is now anticipated.

In confirmation of these statements, the committee add the report of the agent of the Government itself. In the month of November, 1832, the Secretary of the Treasury deputed Henry Toland, Esq. of Philadelphia, to make an examination of the state of the Bank, adding—"You are requested to direct your attention particularly to the state of the debt due to the western Branches, and from persons in the western country generally, and in ascertaining its amount, to inquire what amount of the domestic bills of exchange is due in the western country, and generally how the western debt is secured."

Mr. Toland was eminently qualified for this task, as being a man of business, familiar with the operations of the Bank of which he was formerly a Director, and long engaged in trade with the western country. His report concludes with the following emphatic language.

"Placing reliance on the Cashiers of the different Offices, and the respectable gentlemen composing their different directions, and comparing the amount of business and profits, and adding thereto my own knowledge of the general business of the western country, I do not hesitate to say that I consider the debt in a safe and wholesome state, and that a greater amount of loss need not be apprehended from it, than from a similar mass distributed in the cities of the Atlantic frontier."

In this opinion of Mr. Toland, the committee from their own experience and observation, entirely concur.

THE SAFETY OF THE PUBLIC DEPOSITES.

The security of the public deposits may perhaps be inferred from the explanations already given, but it may not be superfluous to suggest some considerations which may relieve all solicitude on that subject.

1st. From the establishment of the Bank to the present day it has been the depository of about 440,000,000 of dollars of public revenue. The safety with which they have been kept and transferred throughout the United States is attested by all the Secretaries of the Treasury. By Mr. Crawford, who on the 4th of December 1818, in a reply to an inquiry from a committee of Congress, says, "In reply to the specific inquiry

which you make I have the honor to state that the Bank has correctly discharged the duties of Commissioners of Loans and Agents for the payments of military pensions as far as it has been required by law. It has promptly transmitted the public money wherever and whenever it has been required to perform that service. It is presumed that the facilities expected from it in the collection of duties have been furnished as no information has been received at the Department, that such facilities have been withheld."

By Mr. Rush, who in his report of the 13th of December 1828, says

"In faithful obedience to the conditions of its charter, and aided by its Branches, it has afforded the necessary facilities for transferring the public moneys from place to place, concentrating them at the place required. In this manner all payments on account of the public debt, whether for interest or principal; all on account of pensions; all for the civil list; for the army, for the navy, or whatever other purpose wanted in any part of the Union, have been perpetually met. The bank is also the depository with its Branches, for the public moneys from whatever sources of revenue received, aiding too in their collection, thereby giving safety to the keeping, as well as promptitude, and certainty to the disbursement of the public treasure."

"It receives the paper of the State Banks paid on public account in the interior, as well as elsewhere, and by placing it to the credit of the United States as cash, renders it available wherever the public service may require."

By Mr. Ingham, who in a published letter declares of the Bank, that, "it enables the Government to transmit its funds from one extremity of the Union to another without cost, without risk, without pressure upon the section from which they are withdrawn, and with a dispatch which is more like magic than reality."

And the present Secretary of the Treasury in his report of the 5th of December 1831, remarks, "It must be admitted however, that the good management of the present Bank, the accommodation it has given to the Government, and the practical benefits it has rendered the community, whether it may or may not have accomplished all that was expected from it, and the advantages of its present condition, are circumstances in its favor entitled to great weight, and give it strong claims upon the consideration of Congress in any future legislation on the subject." Moreover in his report to Congress at its present session he declares that no loss had ever been sustained by the Government on its deposits with the Bank of the United States.

The simple facts thus emphatically vouched, that out of four hundred and forty millions of Government Deposits taken in all kinds of Bank paper, and in all parts of the United States, during a period of sixteen years not one dollar of loss has been sustained—that during that whole period it has faithfully performed all its duties to the Government, and never on any occasion failed to meet its engagements, may be accepted as presumptions in favor of its solvency.

2d. The general situation of the Bank may afford similar assurances. The Bank has a capital of 35 millions all paid—it has more than one fourth of that capital actually in gold and silver in its vaults—it has due to it from individuals in the United States upwards of 60 millions of debts, and a balance exceeding three millions in Europe—it has real estate which is estimated at three millions of dollars—and in the opinion of the committee there never was any period since its establishment, when it was in a more prosperous condition than at the present moment.

This will be seen in further detail by the following condensed table from the monthly statement of the situation of the Bank, and its Offices and agencies, on the first of January 1833:

The claims against the Bank, are.	
Its Notes in circulation,	\$17,459,571 79
The Deposites, public and private,	13,547,517 95
The Debt to the holders of the funded debt, of the United States, for principal and interest,	6,723,703 16
The unclaimed Dividends,	76,529 84

Amounting to	\$37,807,322 74
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Its resources are:	
Specie,	\$8,951,847 60
Notes of State Banks,	\$2,291,655 04
Balances due by State Banks,	1,596,252 08
	\$3,887,907 12

Funds in Europe, and Foreign Bills of Exchange,	3,190,225 43
Real Estate,	3,036,241 52

Debts due by individuals, viz:	
On Notes discounted,	\$43,626,870 32
On domestic bills of Exchange,	18,069,043 25

	61,695,913 57
Mortgages, &c.	103,330 75

Making	80,865,465 99
From which deduct the claims as above,	37,807,322 74

And there remains an excess of	\$43,058,143 25
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This sum of \$43,058,143 25, forms a guarantee to the holders of the notes, of the Bank, and to its depositors, *over and above the whole amount of their claims.* It is applicable in the first instance, and before one dollar of it can be appropriated in any other way, to the payment of any deficiency which might, by possibility, arise from the thirty-seven millions first destined for the payment of notes and deposits. The whole of it must be absolutely lost before there can be a question whether the holders of the notes of the Bank, and public and private depositors, are in danger of sustaining any loss. After these claimants are satisfied, and not until then, the stockholders who own its thirty-five millions of capital, may divide the balance amongst them.

They, therefore, conclude this part of the subject, by expressing their entire conviction of the accuracy of the opinion expressed by Mr. Toland, the confidential agent of the Government, who says: "Thus far I consider my report, as complying with that part of your letter directing the investigation, so as to ascertain the security of the public money, and the solvency of the Bank, *neither of which can, in my opinion, admit of a doubt.*"

All which is respectfully submitted,
(Signed) MATTHEW L. BEVAN,
Chairman.

From the Commercial Herald.
EASTON, PENNSYLVANIA,

Situated at the confluence of the rivers Delaware and Lehigh, in the rich Kittatinny Valley, in the midst of one of the most fertile grain-growing districts of our country, bids fair to be one of the largest inland towns of our State. Its increase has been singularly regular and progressive, prior to the completion of the great works of internal improvement, which centre there. In 1810, her population was about 1,650; 1820, do. 2,450; 1830, do. 3,700—showing a regular increase at the rate of 50 per cent. for each ten years.

Easton is the centre of the great grain trade of that part of the valley, in which it is situated, which spreads through Lehigh and Northampton counties, in Pennsylvania, and Warren and Sussex counties, in New Jersey. There are eighteen mills within three miles of the court house, several of which are in the borough; and they

make the place, perhaps, the best grain market in America. It is estimated that, besides the amount of corn shipped whole, and of rye and corn manufactured into whiskey, there are in and about 200,000 barrels of wheat and rye flour, and corn meal, sent to market, per annum, from Easton. There are several oil mills in operation, which manufacture large quantities of flaxseed into oil—not less than four within the borough limits. Besides a considerable business carried on in the purchase and sale of lumber, there are three saw mills in the borough, generally engaged in cutting stuff to order.

The Bushkill Creek has heretofore furnished the principal site, for the mills of this place. But recently, the water power has been much increased by the works of the Lehigh Company, who, by means of their dam and canal, have twenty-one feet of fall of the river Lehigh, at south Easton, on the Lehigh basin, with power to drive from 10 to 20 large factories and mills, only one of which has yet been occupied.

Since 1830, the population of the place has increased much beyond its ordinary rate, which may be fairly attributed to the increased business, which the concentration at that place of the Lehigh canal, the Delaware canal, and the Morris canal, has occasioned. Easton has a canal navigation to Mauch Chunk, and also to New York, by the Morris canal, and to Philadelphia, by the Delaware canal.

The distance by land to New York, is about seventy miles. By the Morris canal, it is upwards of ninety miles to Newark, whence it is about twenty miles by water to New York. The mail route to Philadelphia is fifty-six miles. By the canal it is sixty miles to Bristol, and thence twenty miles by tide water to Philadelphia.

Two mail stages arrive and depart daily, to and from Philadelphia—one via New Brunswick, and one via Morristown. There is a daily line to Berwick via Mauch Chunk—one to Wilkesbarre, and one to Mount Pleasant, intersecting the New York and Owego line to Buffalo.

There are the following Lines arriving and departing thrice a week:

To Reading, Lancaster, and Harrisburg.

To Milford, Pa. via the Delaware Water Gap, and Stroudsburg.

To Newton, N. J. Goshen and Newburg, N. Y.

The society of Easton is good—its morals as correct as any other place of its size in the State. It has a library, founded in 1811, containing nearly 3,000 volumes, and an excellent mineralogical cabinet. It is one of the most interesting mineralogical localities in the Union. There is also an academy, a classical school, several English male and female schools; and, within the last twelve months, the Lafayette College, uniting manual and agricultural labour with the usual course of collegiate studies, has gone into operation, with every prospect of success. The Board of Trustees have rented a farm of about 60 acres, adjoining the borough, as a temporary location, and intend the coming season to erect a college edifice. There are between 50 and 60 students now in the institution, which is as great a number as the present buildings will hold. The President and Professors are understood to be gentlemen eminently qualified to fill those stations, and the scholars are making great proficiency. One of the advantages which this institution offers to students is, that they can enter in any stage, and graduate in any or all the branches usually taught in colleges and universities; and the friends of primary schools will learn with pleasure, that several young men have attended a course of instruction in this college, to fit them for school teachers; for which, on due examination, they receive diplomas or certificates.

Another fact which may at first blush, seem singular in this institution, in which the scholars labor three hours per day, and the amount of their earning is carried to their credit, is, that *the scholars who have earned the most*

money by their labor have made the greatest progress in their studies. This we can well conceive, on reflection, to be the case. Industry in study, is evinced by industry in labor.

There are 5 churches erected in Easton—a German Reformed, a Lutheran, a Presbyterian, an Episcopalian, and a Methodist Episcopal church; in the two former, there is preaching in the German and English languages; and in the rest, in the English language only.

There are 2 banks—one a branch of the Bank of Pennsylvania, the other the Easton Bank, the stock of which is selling at \$65, for \$35 paid. A bridge connects the States of New Jersey and Pennsylvania with each other, at this place, which cost about \$65,000, and the stock of which (amounting only to about \$30,000) is now selling at \$240, for \$100 paid. The Lehigh is crossed by a free chain bridge, south of the borough. There is also a fire insurance company, on the principle of mutual assurance, in which property to nearly the value of a million of dollars is insured.

Easton is remarkable for its salubrity. The scenery in its vicinity is romantic and picturesque. Immediately below the town the Delaware cuts its way through the Lehigh Mountain, as it is here called, which is the continuation of the Blue Ridge of Virginia, and the South Mountain of York, Franklin and Cumberland counties, and the Conewaga Hills of Lancaster and Dauphin. This Ridge extends the whole length of the Valley and forms its southern boundary, crossing the Hudson at the Highlands, and the Potomac at Harper's Ferry. It must not be confounded with the "Blue Mountain," which is the northern boundary of the Valley, and crosses the Susquehanna at Port Hunter, above Harrisburg; the Schuylkill at Hamburg; the Lehigh and Delaware at the Water Gaps, and is properly called the Kittatinny, whence the valley is named.

The Gaps of the Lehigh and Delaware are each about 22 miles from Easton. The latter has become classic ground, for Smith has described it with his pen, and Doughty, Durand and Grunewald with their pencils. Those who have viewed both say it is a much more sublime and grand scene than Harper's Ferry, immortalized by Jefferson.

The Wind Gap, situated about midway between the two Water Gaps, is a singular passage through the Blue Mountain, almost on a level with the country on either side, and without any stream of water passing through it. Some of the wise ones suppose that the Delaware once wended its way along the northern side of the Kittatinny Mountain to this Gap, and there passed through, until in some convulsion of nature, the Water Gap was opened, and through which her floods have since continued to roll.

PIRATES IN 1699.

The Correspondence below has been sent to us with the following note.

Philadelphia, March 18, 1833.

"Dear Sir,—As the following letters relate in some measure to Philadelphia in the olden time, they may possibly be of interest to you. I extract them from a volume entitled 'Familiar Letters which passed between Abraham Hill Esq. and several eminent and ingenious persons of the last century,' which volume was published in London in 1767. Mr. Hill was Dr. Tillotson's Comptroller while Archbishop of Canterbury. The letters are for the most part utterly destitute of interest,"

From Wm. Blathwayt Esq. to Abraham Hill.

Diexen, Aug. 21, 1699.

Sir,—These few lines are intended for yourself which

you will pardon. Mr. Popple writes me word that upon grievous complaints that have been made against *Pennsylvania*, in respect of the pirates &c. the Board has made a representation: that Mr. *Pen*, being now going thither, should be ordered to displace his lieutenant-governor, attorney general, justice of the peace, and other officers: and then in all likelihood, all would be well.

Now can it be thought that this matter of piracy so injurious to the East India Company, will not be brought into parliament, and our board asked what we have done in it? Then the answer aforementioned must be given. Can that give satisfaction? and will not every governor be willing enough to be turned out, when he has made his fortune by these pirates? Should not these people be sent for, as the greatest criminals, into England, and dispositions taken on that head against them? Should not Quarr (whom I know not) be commended and rewarded? Will not something of this kind be for the honor and safety of our board? This is left to your consideration, and will become before you again, upon some farther complaints transmitted by the secretaries of state to the king.

We shall certainly have Mr. Stepney with us this winter.
I am &c.

WILLIAM BLATHWAYT.

From Abraham Hill to Wm. Blathwayt, Esq.

August 22, 1699.

Sir,—I am favoured with yours and next that of your welfare, I rejoice at the news that we may hope for Mr. Stepney this winter; his presence set forward our proceedings much. We are now only Mr. Pollexfen, Mr. Lock and myself. Sir Philip Meadows will return next week. Before he went out of town, we laid before the Lord Justices several representations; but we have received no orders from the council as yet, nor can, till their day of sitting. What is now determined, I know not yet; but I believe the pirates in *Pennsylvania* and the Jerseys will be sent for lither. Some tried at Rhode Island have been cleared; but the chiefest of them will be from New England. We have not heard from the earl of Bellamont how he treats with Captain Kidd; but there are several letters from other hands with various reports; one mentions Kidd to be very rich, but that it was by taking a pirate; however it cannot be long before we know the whole with certainty. I am &c.

ABRAHAM HILL.

DESCRIPTION OF SUSQUEHANNA COUNTY.

Extract of a letter to a gentleman in this city from his friend in Susquehanna county.

This county is bounded west by Bradford, south by Luzerne, east by Wayne counties, and north by New York state. Its length from east to west is 35 miles, and breadth, north and south is 25 miles. Containing at the last census 16,777 inhabitants—increased during 10 years, nearly 70 per cent. The North branch of the Susquehanna river passes into its north-east corner at Harmony, an improving place of much lumbering;

thence it passes through Greatbend, a handsome village with good farms, and other establishments of taste in its vicinity, owned by Judge Thompson, 'Squire Catlin, Dubois, and other enterprising men—some of whom built a superior bridge over the river at that place. The Newburg turnpike from Ithaca and Owego, passes there. The river then passes north-west into New York state, by the way of Binghamton, at Chenango point, and thence to Owego, both large and improving villages of taste and much trade, where there are also bridges over said river, for roads through this county; from thence the river passes in a south-west direction into Pennsylvania, near to Athens; and from thence south 18 miles to Meansville or Towanda, both large towns of business in Bradford county; from thence it passes via Tunkhannock, Luzerne county, Pittston, Wilkesbarre, &c. At Pittston near the termination of the Harrisburg canal, is much coal land owned by A. Almond and others.

Susquehanna county is further watered with Saltlick creek, Snake creek, Choconut, Appolacan, Wyalusing, Meshopen, Martin's creek, Tunkhannock and branches of Lackawanna. Those superior streams heading in the county, are caused by many springs interspersed, and lakes of pure water, delightful to view and productive of health—affording fish, water powers, and sand for making glass, &c. The lakes cover severally, from one to nine hundred acres—one of them is called Lathrop's—where Asa Lathrop, deceased, settled when the county was a wilderness; his children possessed valuable mills there—another is called Silverlake, the handsome residence of Dr. R. H. Rose, formerly, I believe, of Chester county, Pa. a scientific citizen, of enterprise in promoting the settlement and improvement of the county. He came to this county when it was a wilderness, and through his exertions, aided by J. and D. Post, and other energetic settlers, there are now six turnpikes in and through the county in various directions. A rail-road, which is commenced, from the Ithaca and Owego rail-road, nearly finished—to the Lackawanna coal mines, at Carbondale and Centerville, &c. to New York—and a turnpike-road from the Abington and Great-bend turnpike, in Luzerne county, to the vallies of Wyalusing, and Choconut or Appolacan, through the county to the state line towards Owego, N. Y. a more level route than the other turnpikes.

We have many other roads, but the most important, is the state road of several hundred miles west, from the Delaware river, Wayne county, Pa. to Erie. This road passes through Jackson, Gibson, Harford, Brooklyn, Springville, Four Corners, Allburn, and Rush—handsome towns of good buildings and improved farms; it passes also through thousands of acres of first rate land in this county, belonging to T. P. Cope, of Philadelphia, on branches of the Wyalusing near to Lathrop's mills—these lands will admit of many new and agreeable farms.

The same may be said of other lands of like quality in this county, near said road and distant therefrom, belonging to the heirs of H. Drinker, Dr. R. H. Rose, 'Silver Lake,' C. Carmalt, 'Friendsville,' S. Milli-

gan, "Ellersloe"—also, J. Lea, Preston & Bunker, S. B. Wallace, T. W. Morris, &c. of Philadelphia; Browne, &c. N. Y.; in the care of Judge Thompson, Putnam Catlin, &c. "Great-bend;" Wm. Ward, "New Milford;" Wm. Jessup, J. Biddle, J. Raynsford, &c. "Montrose;" W. D. Cope, Geo. Walker, "Woodbourne," and others, at three dollars per acre, more or less according to quality, pay, and situation; and improved farms from ten to twenty dollars per acre. The said road passes on west, through Meansville, Bradford; Wellboro, Tioga; Coudersport, Potter; Smethport, M'Kean; Warren, Warren counties, and to Waterford, Erie—branching to this and many other places of importance in this and New York state—through many thousands of acres belonging to the estates of Le Ray, De Chaumont, J. Lea, T. Cadwallader, B. Morris, Bingham, &c. worth the attention of those of the old counties who do not own houses and farms, and could pay from one hundred to three thousand dollars for a farm of 100 acres. Landholders, agents, and settlers, with the assistance of the state, should improve said state road.

The county town of Susquehanna is Montrose, 29 miles south-east of Owego, 20 miles south of Binghamton and Great-bend, 30 miles east of Meansville, and 19 miles north of Tunkhannock; 142 miles from N. York, 166 miles north-west of Philadelphia, and the same distance from Harrisburg. It contains 70 houses and 500 inhabitants, with a court house, fire proof offices, academy, banking house. There are three large meeting houses, with a sounding bell; two printing offices, each issuing weekly, an interesting paper; four taverns; seven stores, &c.

Dundaff is another large village 24 miles east from Montrose, and 6½ miles north-west from Carbondale coal mines. It contains stores, taverns, shops, neat houses, and a glass factory in complete operation, built and conducted by Gould, Phinney and others, who have promoted the improvement of the county. Peter Graham of Philadelphia, owns a superior farm adjoining said village, with extensive and elegant buildings. He keeps thereon, several hundred merino sheep, and many cattle. There are many other thriving villages in the county.

Timber consists of sugar maple, (producing hundreds of tons of sugar, and would thousands, if the people would make it,) beach, pine, chesnut, hemlock, wild cherry, oak, hickory, &c.

Minerals are not yet discovered to be extensive, though it is believed there is stone coal in the east of the county, nearly adjoining the valley of Lackawanna, abounding with millions of tons of that delightful fuel, which many of us burn 30 miles off, in preference to the best of wood, that costs nothing except cutting and hauling. We have gray limestone in various places, and a number of salt springs. Some salt has been made, and an act of incorporation obtained by a number of enterprising men to extend their works, on waters of the Wyalusing—it is to be hoped, to the profit of themselves and county.

Climate—The heat of the summers is much the same as in the latitude of Philadelphia, but not of so long du-

ration—farmers commence feeding with hay in December, and turn their creatures out to pasture in the spring about the time they do thereaway—at the commencement of winter, the snow generally falls from one to two feet deep, and continues to cover the ground, until the breaking up of the spring—thus preserving the roots of grain and grass from severe frosts, and exempting us from deep mud in the roads and about our dwellings, affording an opportunity for sleighing, taking our produce to market, &c. When the snow passes away in the spring, vegetation soon revives and affords early pasture. The soil is well adapted to grazing, raising cattle, and other agricultural purposes, being composed of about 68 per cent silica, 7.7 per cent alumine, 1 per cent carbonate of lime, 7 per cent oxide of iron, 9 per cent vegetable and animal matter, &c. The subsoil is of nearly the same nature, retaining the moisture and manure from sinking below the surface and mould of the soil. The more this land is properly cultivated, even without manure, the better it becomes—and if it is not worked, the longer it remains exposed to the sun, air, heat, and cold, the better it becomes; also, the subsoil, or hard pan, makes a good manure.

The first crop of wheat after clearing is mostly from 15 to 30 bushels per acre, the land then remains in grass say ten years, affording, pasture and sometimes two tons of hay per acre; and when ploughed and prepared, is good for all kinds of vegetables. As this is a country for raising cattle, sheep, and horses, making butter, &c. the farmers do not raise more grain than for home use. I am just informed by Dr. Rose's agent, that he has 7000 sheep on Silver Lake farm, and others in the county, and I suppose he never had 20 killed by wolves.

Buildings.—Owing to the plenty and consequent cheapness of timber, the buildings are mostly frame, subsequent to the first shanties, and log houses. These when finished and painted, as many are, make comfortable and neat buildings, cider-houses, wood-houses, &c.

Orchards.—There are many in good bearing of choice fruit, and scarcely a farm without one coming on—bit-ter rot in the apples and peaches is not known here as in the old counties to the south. Cider is plenty and is becoming an article of trade, as the canals and rail-roads advance, opening markets and ways to transport at a small expense our produce to market; (perhaps at no more expense when completed, to our cities, than common land carriage 20 or 30 miles,) thus bringing us as it were, within that distance of our seaports.

These are some of the advantages of our county about Montrose, Silver Lake, Friendsville, Great-bend, New Medford, Harmony, Harford, Herrick, Dundaff, Brooklyn, Choconut, Gibson, Jackson, Clifford, Woodbourne, Springville, Auburn, Rush, &c., and at almost all said places, there is a store, shop, meeting-house, post office, &c.

A law is just obtained in New York state, to make a canal from their western canal near Utica, via Clinton, Hanover, Madison, Hamilton, Sherbourn, Norwich, Oxford and Greene, to Binghamton, along the Che-

nango river to its mouth, on the Susquehanna river 20 miles north. These are large, rich and handsome towns of much trade, soon to be connected with our county by said communications; it is believed this will in a few years vie with almost any county of the state.

Our land in some places is stony and hilly, as our turnpikes show that were laid out whilst our county was a wilderness, across the hills and valleys without much winding them—whereby numbers of the many passing through our county in seven lines of stages the poorest farms, have reported of us unfavourably.

I have seen 30 bushels of wheat per acre on some of our steepest hills, without the application of manure, and our county is not too stony generally for fencing, buildings, and flagging our town pavements and about our dwellings.

This county is improving to the delight of settlers—some of whom would not exchange their homes and neat farms, which cost them only from one to four thousand dollars, for farms and homes that would cost them, in some of the old counties, five times as much.

A number of the landholders of this county have displayed humanity and patriotism with others at a distance; acting agreeably to the advices of their agents and best friends, who knew the distresses of the first settlers of a wilderness better than themselves, they have reduced the price of wild land to three dollars, less or more, according to pay, quality and situation, and in many instances have reduced the amount of old contracts, from five or ten dollars down to a price the settlers are encouraged to pay; or sell to those that can pay; better farmers than themselves, but not as good pioneers in clearing land for the reception of those that can pay them for their improvements, or betterments, as they are called, and the landholder for his soil. This county is prepared to receive persons of some capital to purchase and further improve many farms of the first settlers, who are not much of farmers, but expert axemen in clearing land—the first crop mostly pays for clearing, if the farmers hire it done. Persons have come here with virtuous industry, without much property, to the blessing of themselves and county—they entered the wilderness, cutting roads before them, and built shanties and log houses for their families, clearing land &c.; some of whom are rich with comfortable establishments and money at interest; and if others are poor by losses and other afflictions, with only the means of living, educating their children, with hearts to feed the hungry with what they had to spare—they and their posterity, with the more prosperous first settlers, are such as should be respected as the nobility of the county; they have had many hardships to encounter, but have so prospered as to possess the necessities of life, and there are very few counties of the state that make a more interesting appearance; thus it has been observed by strangers attending our courts, town-meetings, and religious assemblies.

The cause of temperance is nobly spreading through our towns, so that at times our courts have no business of criminal cases, assault, and but few civil actions, so

called, so often produced by intemperance and drunkenness, destroying the peace and happiness of other portions of the union, at least too many of them. Nearly all our respectable men are members of temperance societies, embracing all our professions of religion, which are, as near as I can recollect, Presbyterians, Episcopalians, Methodists, Catholics, Universalists, Baptists, and Friends, harmonizing together in so righteous a cause, that they seldom differ about religion.

I desire not to offend any by the mentioning names to show of whom farms may be had in this county, and who been useful in improving it. No doubt post paid letters of inquiries to any of the named, at their places of abode as “mentioned,” will be replied to with civility, informing particulars as to farms, whether wild land or improved.

In addition to the Academy at Montrose, country schools are numerous; there is also a boarding school for boys, on very moderate terms, intended to be opened on the Choconut, in the vicinity of Silver Lake and Friendsville, near to Caleb Carmalts superior mansion, the ensuing season by John Mann, late of Chester county.

There is another boarding school in this county for young ladies at the Greatbend, in a large, commodious and neat building, belonging to Putnam Catlin, Esq. delightfully situated on the Susquehanna River, under the care of his son James Catlin, and well qualified teachers—he is brother of the Artist, George Catlin, whose interesting letters from the far west, were recently published in many of the papers, describing the Indians he was with, whilst taking the likenesses of many of their chiefs. He is now at his father's, “Great-bend,” where hundreds of their friends and strangers are calling to see his paintings and costumes of those natives of the wilderness. As he returned from them, near the base of the Rocky mountain, he guided his skiff with two other men, 2000 miles down the Missouri, &c. May the exhibiting of his paintings through the Union incite the people and government with an increased disposition of humanity towards the Indians, not only to guard their rights, but promote their civilization with a knowledge of the arts and sciences. As the said teacher and artist were born in our county, I deem it not improper thus to mention them, as indeed I might also, our editors and many others of talent and information, to encourage emigration to these northern counties of Pennsylvania.

MILITIA SYSTEM.

Report of the Committee on the Militia System, to whom was referred that part of the Governor's Message on the subject of the militia, together with the resolution of the 13th December, 1833, and various petitions.—Mr. Lardner, Chairman. Read in the House of Representatives, March 12, 1833.

That having given to the subject of a thorough revision of the laws for the regulation of the militia system, that attention which the source whence it emanates so particularly demands, they offer it as the result of their deliberations, that no measures could be adopted, that would to any effectual extent, advance the disciplining or the arming of the militia, unless by the appro-

priation of much time and large sums of money; that the public good does not require the exaction of more time from citizens now liable to the performance of militia duty, nor that greater expense should be incurred by the state; and in short, that all the laws hitherto enacted on this subject, have failed in the attainment of the contemplated object. It cannot be said, that the militia of this commonwealth are at the present day, nearer to the attainment of such a state of discipline as could alone render it efficient in actual war, than when the first steps were taken, and the first laws passed, to accomplish what has heretofore been considered of such great importance. On the contrary, they believe, that it has become less efficient, and the annual musters and trainings a fruitful source of evil. Your committee are far from imputing this failure to any want of attention or intelligence, on the part of those on whom devolved the duty of maturing and regulating the militia system; nor is it to be attributed to any absence of that patriotism and valor in the citizens of Pennsylvania, so often displayed by their sires, in many a well fought field. Should occasion require, they would again be found ready and able, with devoted courage, to bear down all opposition from the regular troops of an enemy. It must be attributed to their unwillingness to withdraw their time from the occupations and pursuits of business; to their distaste to the life of a soldier in time of peace; and above all, to the fact, that the proud spirit of freemen cannot be broken down, into the machinery which constitutes the efficiency of a regular army.

If so little good has been attained by the measures hitherto adopted towards arming and disciplining the militia, it may be inquired whether much evil has not resulted. It may be taken as a point generally conceded, that no knowledge of the military art is or can be acquired, during the limited time allotted to trainings; and it is a matter of notoriety, that the crowd of idle and disorderly spectators attracted by them in populous districts, is a serious evil; that the time lost or misspent is of immense value; and that the temptations to form habits of idleness and dissipation are great and numerous. By the return of the Adjutant General for the year 1832, the enrolled militia amounted to 152,682 men, exclusive of general and staff officers, and of volunteers; and allowing that seventy-five cents per diem is a just estimate of the value of the time of each able bodied citizen thus occupied, it results that the sum of \$229,023.00 is annually subtracted from the active industry of the state. To this may be added the sum of \$21,562.43 paid out of the state treasury during the last year, for the expenses of the militia, and for courts martial, making the large amount of \$250,585.43 the annual cost of this unprofitable system.

Several petitions have been presented to the Legislature during the present session, and referred to your committee, praying that the annual trainings of the militia may be abolished, and that in lieu thereof a tax may be levied on those liable to the performance of militia duty, to be appropriated to the purposes of education. On the 13th of December last, a resolution was adopted by this House, "instructing the committee on the militia system to inquire into the propriety of a law to prevent the mustering of the militia in time of peace, which has become a grievous tax on the time, industry, health, and morals of the people; an annual rate be levied on all persons liable to militia duty, to form a fund for the establishment of competent tutors," &c. &c. The petitions and resolution indicate that the militia system is losing ground, in the estimation both of the people and of the Legislature; and that their attention is now turned to a subject of much greater importance—the improvement of the intellectual and moral condition of the rising generation. Nevertheless, your committee would protest against the attainments of any object, however desirable, by means of *partial or unequal taxation*. The persons liable to the

performance of militia duty, are for the most part, those whose time and industry are, of all others, most precious to themselves, and most valuable to the community. It is to them the commonwealth must look for support and defence, in the hour of danger and of need; and the imposing on them, as an unavoidable tax, what has heretofore been merely a *fine* for the non-performance of a specified duty, would be *unjust and unequal* in operation.

The volunteers of this state now amount to more than thirty-five thousand men, associated from the impulse of patriotism and public spirit: they constitute a body of young men highly respectable, and of whom their native state may justly feel proud; and dispersed, as they are, over different sections of the country, could be relied on to furnish from their ranks, intelligent and skillful officers, whenever an emergency may arise, rendering it necessary to call out and arm the militia. By existing laws they are required, whenever, in the opinion of the brigade inspector, they are not sufficiently numerous, or from other causes, they cannot be formed into an independent battalion, to be attached to, paraded and inspected with the militia. This is found to be a source of great inconvenience to them; it brings them under the command of officers not of their own choice, and with whom they cannot always harmonize—rendering them liable to be paraded at inconvenient times and places, and participants in a great degree of the ridicule, frequently bestowed on the awkward and grotesque movements of the militia, properly so called. At the last session of the Legislature an act was passed, exempting some corps from this unfavorable arrangement; and several petitions are now on the table of the House, asking that this exemption may be extended. It is believed that the volunteers have strong claims on the liberality of the state, and the committee recommend, that whatever modification may be made in militia law, a liberal and ample provision be made for their encouragement.

The constitution of Pennsylvania directs, that "the freemen of the commonwealth shall be armed and disciplined in its defence." A literal and severe construction of this clause, would involve an enormous expense: the arming of all citizens of the state liable to militia duty; the precautions necessary to preserve the arms in a condition of usefulness, and prevent their misapplication and waste; the pay and subsistence required by such a body of men, kept in the field a sufficient space of time requisite to bring them into a state of discipline, would create an expenditure little short of a state of actual war. It cannot be supposed that such a construction of the constitution was intended by the framers of it, or is required by the people, unless during war. Nor is it necessary. In the midst of all the enjoyments of prosperity and profound peace, when there is no foe, foreign or domestic, to attack—the commonwealth needs no defence, other than may be found in the intelligence and affections of its citizens, duly estimating, and constitutionally exercising their invaluable privileges. "In time of peace to prepare for war," is a good maxim; but "at all times to inculcate the principles and promote the arts of peace," is better. The expense of means misapplied to promote the first object, would, if properly directed, do much to advance both; and from the enlightened and liberal principles which are prevailing, and from better estimates being now made than heretofore, of all the objects of human ambition, we may look forward with pleasing anticipations, to the more improved condition of human society, in all its relations; to the more rare occurrence and mitigated horrors of war, and to the multiplied embellishments and increased enjoyments of peace.

In conclusion, the committee express their decided opinion, that the mustering and the training of the militia, in time of peace, are not required for any useful purpose, and may with propriety be dispensed with. They accordingly submit the following resolution:

Resolved, That the committee on the militia system be instructed to bring in a bill, to abolish the battalion and company trainings of the militia.

Weight of Cattle fed in Chester county, and exposed for sale in the Philadelphia market on Saturday last.

Twin Oxen fed by Emmor Seeds,	1446	
	1718	
		3164
John Gheen,	1126	
	1136	
		2262
John Hickman's Heifer,		418
Joel Pennock,	1540	
	1630	
	1408	
	1350	
	1256	
	1266	
		8450
Widow Moore & Sons,	1332	
	1188	
		2620
Caleb Swayne,	1080	
	1113	
		2193

CRAWFORD COUNTY.

THE COURT.—Be the business what it may for the next, we announce the fact with pleasure, that not a single presentment was preferred by the Commonwealth at the term held this week. The absence of business in the quarter sessions, favored the trial and dispatch of many cases in the common pleas. Among these, the only one which seemed to elicit something more than ordinary interest, was the case of *John Daniels vs. Hugh M'Dill*. It was founded on an appeal by plf. from an award of referees before a magistrate, which gave him \$3.75 damages, on a contract with deft. for the delivery of "seven thousand merchantable shingles." The jury confirmed the award—thereby mulcting the plf. into the costs, which, from the number of witnesses who attended, it is supposed, will fall little short of *two hundred dollars!*

The following, from an Easton paper, is happily in point:

On Thursday last, a cause was tried at the court in this place, which created a good deal of merriment. It was to recover the value of some clover seed, which the plaintiff asserted had been destroyed by the defendant in his clover mill. A bag of the clover chaff was exhibited in court, as a specimen of what the plaintiff alleged had been destroyed. The following was written on the occasion by one of the members of the bar—which forms a pretty good estimate of law suits in general:

In such a case, three Lawyers fee'd,
May well make people laugh;
The Lawyers take the clover seed,
The Clients get the chaff!!

COLUMBIA, March 2d.

FOXES.—These animals have been unusually plenty in our neighborhood this season, and the music of the hounds, when in full pursuit, has often been heard sounding over our hills and reverberating along our valleys. A number of the cunning fellows have been caught. One day last week the hounds were so close upon the heels of an old Reynard, on the top of Chicques Rock, that to save himself he jumped off this precipice, and alighted in the road, a distance of more than 300 feet. Some persons who were near the place at the time picked him up; he was uninjured with the exception of a slight bruise. Two years ago, last Christmas, a fox leaped from the same rock and was killed by the fall.

BOARD OF HEALTH.

The following gentlemen on Monday last, elected members of the Board of Health for the ensuing year:

By the Select and Common Councils,
Dr. R. E. Griffith, Dr. H. Bond,
Thomas Lancaster, Dr. J. T. Sharpless,
Wm. A. Peddle, R. W. Pomeroy.
By the Commissioners of the Northern Liberties,
William Binder, Henry A. Beck.
By the Commissioners of Southwark,
Thomas D. Grover.
By the Commissioners of Spring Garden,
Dr. William D. Brinckle.
By the Commissioners of Moyamensing,
Robert L. Loughhead.
By the Commissioners of Kensington,
Isaac Boileau.

THE REGISTER.

PHILADELPHIA, MARCH 23, 1833.

We have been endeavouring to obtain some information as to the extent of the manufacture of bricks in this city. Through the kindness of a friend we have obtained an estimate made by two extensive brick-makers, (one of whom manufactured last year two millions, and the other three millions,) of the quantity made last year, by 34 different proprietors of kilns—from which we have deduced the following statement.

Bricks made in 1832 at Yards	
South of Arch st.	41,000,000
North, do.	34,000,000
Total	75,000,000

Say 75 millions which at \$7 per 1000 as the average price would amount to \$525,000.

To burn this quantity it required, at the rate of 333½ cords of wood to one million of bricks, about 25,000 cords of wood, which at an average price of \$4 25 would amount for the cost of that article, to \$106,250. Besides the quantity made here, some thousands are brought by water, from places on or near the Delaware.

Imported into Boston from Philadelphia, in 1832.

Flour,	bbls.	16,174
Corn,	bushels	268,063
Rye,	do	1,252
Oats,	do	14,169
Shorts,	do	8,008

The Western Bank of Philadelphia, has issued notes in the German character and language, which is a novel idea in this country.

The following is a copy of the note in the English character:

Die Western Bank von Philadelphia verspricht und George Wolf oder vorzeigher nach sicht Funf Thaler zu bezahlem. Philadelphia, Marz 1, 1833.

A. OKIE, President.

J. B. TREYON, Cashier.

Printed every SATURDAY MORNING by WILLIAM F. GEDDES, No. 9 Library Street, Philadelphia; where, and at the PUBLICATION OFFICE, IN FRANKLIN PLACE, second door back of the Post Office, (front room) subscriptions will be thankfully received. Price FIVE DOLLARS per annum, payable annually by subscribers residing in or near the city, or where there is an agent. Other subscribers pay in advance.

HAZARD'S REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

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HISTORICAL DISCOURSE.

Annual discourse delivered before the Historical Society of the State of Pennsylvania, on the 29th day of November, 1832. By Peter McCall, Esq.

[Published at the request of the Society.]

Mr. President, and Gentlemen of the Historical Society.

Your kindness in assigning to me the present duty is indeed equally valued by my presumption in its acceptance. Had the salutary admonitions of prudence been duly listened to, the youngest of your associates would have shrunk from the honour which your flattering invitation conferred. He had, however, the consolation to reflect, that next to the ability to perform an action has ever been deemed a well-meant endeavour in its behalf. Though he has no pretensions to the former, he may at least support a claim to the latter: though he cannot merit your praise he may hope to secure your indulgence.

The career which Pennsylvania has sustained during the period of a century and a half, a period of great events and extraordinary developments, has been recently depicted in an anniversary address to a sister institution.* There was much in that survey to gratify an honest pride, and excite a laudable ambition. It displayed in the gradual advancement of our state to her present prosperity and happiness, the majestic triumph of liberty and knowledge. The review of her early history presents results equally interesting, if not equally splendid, with those which have attended her separation from the mother country. It does not exhibit the slow and sickly growth which is too often the fate of colonial dependencies. Planted by good faith, and watered by unbroken peace, the scion struck far and deep into the soil; and while yet in the period that usually defines the infancy of a nation, reared its lofty trunk and vigorous branches to the admiration of mankind.

In reflecting on the causes of a prosperity so unexampled, I have been led to attribute a prominent influence to the peculiar character and principles of the men who founded and long governed Pennsylvania.

I need hardly remind this audience that the little band of pioneers who surrounded William Penn, were principally followers of the religious standard which he then bore. For many years the population of the colony was chiefly composed of members of the same religious denomination. Philadelphia was emphatically a Quaker city—Pennsylvania a Quaker province: and when their numbers and their importance receded before the flood of immigration, the memory of their services, and the influence of their virtues, enabled them still to sway the councils of the growing nation. They gave a tone to our manners: they gave a temper to our laws. The leading actors on the arena of public life, the objects of popular applause and proprietary favour, the Logans and the Lloyds, the Shippens and the Norrises, were prominent members of that society. With one exception, that of Thomas Lloyd, deputed by Penn in 1691, whose ability and virtue are the theme of con-

temporary praise, the political representatives of the proprietary did not profess the religious sentiments of the Friends: but their opinions were, in most cases by positive instructions, in all more or less by the high respectability and elevated character of its members, controlled by the provincial council, who, together with the popular branch of the government, during the first seventy years of our colonial existence, were chiefly composed of professed Quakers. Let me then invite your indulgence while I attempt to sketch the progress of the Society of Friends in Pennsylvania, and their influence on our institutions, literary, benevolent, and political. Few subjects connected with our early history possess superior interest or more eminent importance. Our hands now reap the harvest of their toils. Let us not refuse to the fathers of our birth place, the homage dictated alike by gratitude and justice. I fear there may be something too old fashioned and repulsive in the severe simplicity of the patriarchs of our soil, for the genius of a refined and luxurious age; that like the portraits of our ancestors, discarded as useless furniture, or at best sent to adorn a garret, or a lumber room—their images seldom dwell in our memory, or rest in our affections. Let it not be so. Let the pencil of truth be dipped in the glowing colours of filial affection, to reanimate the canvass which time has dimmed. While in the exercise of those inherent rights of conscience which they valued beyond price, many of us may differ from them in our principles or our practice, we shall find in their example much to cherish, to admire, to emulate.

It is worthy of remark that a society whose cardinal principle is peace, sprung into existence at a period of bloodshed and confusion. At that memorable period of English history, when the foundations of the constitution were broken up, and an unfortunate monarch buried beneath its ruins, many sought a retreat from the horrors of civil tumult in the precepts of the enthusiastic founder of this sect. The peaceful doctrines and deportment of these "Children of the Light," as the Quakers were originally styled, could not, however, shield them from bitter and relentless persecution—the persecution of vindictive laws, and the yet severer persecution of thoughtless derision. The most opposite parties, and the most hostile interests: republic, protector, king, the merry monarch himself, who cared for the religion as little as for the liberty of his subjects, all united in the arbitrary oppression of the Quakers. The Founder himself afforded a striking illustration of Verulam's beautiful remark, that "virtue is like precious odours, most fragrant when they are incensed or crushed." Twice expelled his paternal roof, and twice confined in the Tower of London for his inflexible adherence to a proscribed sect, he maintained, through every vicissitude of fortune, a spirit which no tyranny could daunt. His memorable trial at the Old Bailey in 1670, leaves us at a loss which most to wonder at, the shameful servility of the bench, the collected fortitude of the accused, or the intrepid firmness of the jury, who stood between oppression and the rights of a fellow citizen. As a chapter in the instructive volume of human experience, the sufferings of the Quakers cannot be read without interest: how greatly enhanced is that interest by the recollection that those sufferings formed the main inducement to the establishment of a new colony!

* Mr. Duponceau's discourse before the Society for commemorating the Landing of William Penn; delivered Oct. 24, 1832.

Our fathers were wanderers for religion's sake. The ancients would have called this voluntary exile, a sight worthy of the gods. Their history presents no such example. Actuated by no motives of commercial gain, the fathers of Pennsylvania, like those of Plymouth, abandoning the comforts of civilized society, the endearments of friends, and the associations of nativity, courted and obtained in an untrodden wilderness that freedom of conscience which was denied them at home.

In the spring of 1681 the work of colonization was commenced. Three vessels, whose names as well as the names and characters of some of these primitive settlers, have been recorded by the industry of that honest and painstaking chronicler, Robert Proud, bore the germ of a great and flourishing commonwealth. The shores of the majestic river which they entered were not entirely destitute of the labours of their brethren. A few members of the Society of Friends had established themselves under grants from Sir Edmund Andross, in the territories afterwards chartered to Penn. West New Jersey had been previously colonized by Quakers, and a settlement made on the right bank of the Delaware, in the vicinity of the Falls. Meetings for religious worship already existed at Chester, and at Shaxamaxon, now the site of our Kensington. The arrival of the proprietary himself in the following year, brought strength to their numbers, and confidence to their hopes. An assembly was soon convened, the great law enacted, and the machine of government set in motion. The high grounds of Coaquannock were marked out for the future metropolis. In less than a year from its foundation, eighty dwellings and three hundred plantations in its vicinity, attested its rapid prosperity. Stimulated by the delightful climate, the exuberant fertility, and above all, the free constitution and the equal laws of the new colony, immigration rapidly increased; scattering into the bosom of a dreary wilderness the cheering rays of civilization and Christianity.

The township of Byberry in the county of Philadelphia, was settled by families of industrious Friends, shortly after the arrival of William Penn. The Knights and the Carvers, the Waktons and the Rushes,* transported their families to Byberry in the years 1683-4-5.

The history of this little home of patriarchal simplicity has been, with laudable industry, collated by Mr. Isaac Comly. It presents the simple annals of a poor, yet laborious and thrifty community, who, ignorant of the refinements which gild the asperities of life, were equally ignorant of the artificial necessities which those refinements create. The shock of the Keithian controversy was felt throughout these peaceful precincts; and in the political contests which agitated the province, the Friends of Byberry enlisted with ardour in the popular cause.

The learned and venerable Pastorius, accompanied by a society of Friends from Cresheim in Germany, laid the foundation of the village of Germantown in 1682.

The flourishing settlements at Haverford, Merion, and Radnor, established the same year, deduce their origin from the Quakers of Wales. Among them, Hugh Roberts, a native of Pennlyn in Wales, is deserving of particular notice. It is no trifling proof of merit that he enjoyed, in an eminent degree, the confidence of Penn himself, who consulted him in relation to the original settlement of the province. He was equally conspicuous for his civil and religious services. His abilities, which are described as of no ordinary character, rendered him an efficient member of the provincial council.

The Welsh settlements were reinforced in 1697 by the arrival of William Jones and Thomas Evans, who obtained a grant of the township of Gwynedd, within

* The last were the ancestors of that illustrious ornament of his profession and his country, the late Dr. Benjamin Rush.

the limits of the present county of Montgomery. Their followers, professors of the established faith of England, soon became converts to the predominant persuasion, and in 1700, erected an edifice for divine worship, on the site at present occupied for that purpose. The spirit of improvement in a few years brought into existence the townships of Goshen, New Town, and Auchland. The names of Gwynedd, and North Wales, indicate the Celtic origin of their early inhabitants.

The settlement at Abington claims the honour of great antiquity. A monthly meeting was there established as early as 1683; which was subsequently incorporated with those of Oxford and Poetquessing.

The township of Plymouth was originally purchased and settled about the year 1685, by James Fox, Francis Rawle, and others, emigrants from Plymouth in England.

Meetings for worship were established at Neshaminy in 1682; at Oxford and Cheltenham in the following year.

Bucks county was settled at a very early period of our colonial history. Carrying their ploughs along the banks of the noble stream which afforded them the means of ready access to their friends of West Jersey, the first emigrants seated themselves on the Delaware. In 1683 we observe, among the inhabitants and extensive landholders in this county, a family that long illustrated the annals of Pennsylvania, the Growdens of Bensalem. The names of Thomas Janney, Pineas Pemberton, and Jeremiah Langhorne, have descended to posterity with honourable testimonials of their civil merits and religious services. The highest judicial honours of the province were sustained with reputation by the sons of Langhorne and Growden.

Some years prior to the grant of Penn, a few individuals of the Society of Friends had found an asylum in that portion of his territory, afterwards designated as Chester county. Robert Wade, accompanied by some followers of the same sect, established himself at Upland in 1675. It is upon record that the first monthly meeting of Friends in Pennsylvania, was held at Wade's house in 1681. The meetings of Springfield, Providence, and Middletown, were erected in 1696. Chester county continued for many years to be chiefly inhabited by members of that Society, and it remains to this day strongly impressed with the character of its early population.

The spirit of emigration, which was rapidly felling the gigantic forests of Pennsylvania, and urging their original occupants towards the declining sun, reached Conestogo, the scene of many a council talk, and long esteemed as the Thule of civilization, in 1732. That year witnessed an establishment of Friends at Lancaster.

It is difficult, if not impossible, to approach precision in the attempt to estimate the relative strength of the Quaker population at different periods of our history. Our early statistics are much too barren and incomplete to afford assistance in the research.

Oldmixon, in his "Account of Pennsylvania in 1708," says, in relation to this subject, "the opinion of the Quakers prevails so far that they are by much the majority, as the English are of all the other nations." The assembly, in their address to the governor in 1711, and again in 1724, speaks of the Friends as composing a majority of the members of the house, and of the inhabitants of the province. If any thing were required to show the strength of Quaker influence at this period, I might refer to the instructions of Hannah Penn, the relict of the founder, to Sir William Keith, in relation to the admission of members to the council board, in which there is this remarkable passage: "As that country was first principally settled by those of our profession called Quakers, it is expected that at least one half of the whole number shall be of that profession."

Though still in the zenith of their political influence, the numbers of the Friends were fast yielding to the

tide of immigration which was setting from Germany and other nations of Europe. Yet their moral ascendancy survived their numerical superiority. In an official document addressed to the Lords, Commissioners of Trade and Plantations in 1740, Governor Thomas computes them at one-third of the population. "Yet," adds he, "from their union they have a much greater influence on all public affairs than other societies." In the celebrated pamphlet entitled "A Brief State," published in 1765, the entire population of the province is estimated at two hundred and twenty thousand; of whom the Germans composed nearly one-half, the Quakers not quite two-fifths of the residue. From this period may be dated the extinction of their active political influence in Pennsylvania. The aspect of public affairs was now materially changed. The peaceful sky that had sheltered and fostered their sect, was overcast with clouds, that threatened to burst in Indian vengeance and French hostility. The conflicts between religious principle and political expediency, to which the Quakers were inevitably exposed, led ultimately to their withdrawal from the halls of legislation.

I regret that it is not in my power to present to you more complete historical information on the progress of the Society of Friends in Pennsylvania. In the records of the various religious meetings lie buried the sources of a more detailed and authentic knowledge. To rescue them from undeserved obscurity, would be an object worthy the lover of times gone by. They would, indeed, afford little to captivate the imagination, or gratify a taste for high-wrought adventure. No dazzling exploits: no fascinating romance: simply a picture of the homely realities of a new settlement: the slow but well assured ascent to unrivalled prosperity, of a highly moral, industrious, and free people. Yet there would be enough richly to repay the labours of the antiquarian. Unqualified praise is to be accorded to Mr. Comly, for the assiduity with which he has rescued from the grasp of oblivion, the annals of a small but flourishing section of our state. Let us indulge the hope that an example so praiseworthy may not be without its proper influence, and that the archives of your society may be enriched with other contributions of a similar character and of equal merit.

The memory of not a few of our early fathers has been transmitted to us through the medium of a beautiful custom, peculiar, as far as I am aware, to the Society of Friends: that of embalming the memory of the great and virtuous of their community in public testimonials: monuments round which the affection of posterity may throw its chaplets. It is thus that the names of Taylor, Jennings, Wynne, Lloyd, Cooke, Roberts, Chalkley, Carpenter, Owen, Pusey, Evans, Pemberton, and others, have been carried down to us with consecrated fame. They were the great men of those primitive days; whose path through life was adorned by their private virtues and their public services.

Regarded without reference to the moral of the story, the mere physical progress, the rise or fall of nations, presents but little interest to the philosophical observer. The intrigues of courts, the revolutions of states, the subjugation of empires, illuminate the pages of history. Were history confined to these, philosophy might well refuse its claim to kindred association. With far deeper pleasure and more permanent interest; we survey the social relations of civilized man, and draw from the manners and morals, the literature and laws, the institutions, civil and political, of ages and nations that are past, the lessons of experience, and the torch to our footsteps, in the paths of honor and greatness. I propose to cast a rapid glance at Pennsylvania from these several points of view, with particular reference to the influence exerted on them by the Society of Friends. And first of our early literature.

1. In this age of universal literary pretension, the charge of an illiberal proscription of humane letters, involves a grave and serious accusation. Yet, such a

charge springing in part from the example of some of the early fathers of that sect, but principally from its well known tenet, which renders the functions of the ministry independent of the illuminations of human learning, has not unfrequently been preferred against the Society of Friends. I can attempt no more on the present occasion, than briefly to show that the charge referred to, equally unfounded in the principles or the history of that Society, cannot invoke the authority of the Quakers of Pennsylvania.

It is undoubtedly true that the golden fruits of literature are the precious result of long and tender culture, and are brought to maturity only in the genial sunshine of prosperous leisure. To prepare the soil, to scatter the seed for the harvest of future labourers, is all that can be accomplished by those whose great and absorbing study is, to live. We do not therefore see, nor expect to find, learning or its professors among the pioneers of a wilderness. But in general education, the comprehensive genius of our founder saw the massive arch of the political fabric, the only effectual means of permanent security and happiness. His first frame of government, the reflection of a clear, profound, and cultivated intellect, contains a memorable provision, "that the governor and provincial council shall erect and order all public schools, and encourage and reward the authors of useful sciences and laudable inventions."

Point me to an instance in the charters or constitutional documents of our sister colonies, where the interests of science and learning are thus directly taken under the fostering wing of the government itself.*

Seven years had not elapsed from the landing of Penn, before an institution arose, within whose venerable walls some of the brightest ornaments of our country laid the foundations of their usefulness. The Friends' Public School of Philadelphia: a noble monument of the liberal and expanded views of our primitive Quakers. Their temporary dwellings are yet shaded by the native grandeur of the forest when there arises a temple to science open to all worshippers.† This was not a mere reading, writing, and ciphering school, like that established in 1683, by Enoch Flower, the primitive schoolmaster of Pennsylvania, who taught to

* Several instances are to be found on the records of provincial Pennsylvania, of invention applying for the protection of the law—all in relation to a common article of domestic use—*lamp black*. The first application contained in the votes of assembly, Vol. 2. p. 240, 1713, 3d mo. 31st., is as follows: "The petition of Andrew Bradford, setting forth that he has been at a considerable expense in finding out the right method of making lamp-black; and having completed the same, desires leave to bring in a bill to prohibit all others from making lamp-black for twenty years, was read. Ordered that he attend the house at their next sitting, and acquaint them at what rates he can afford to sell it."

Bradford again invited the attention of the house to the matter, but I have not been able to find that they acted definitively upon it.

† The following minute of council exhibits the solicitude of the early settlers of Pennsylvania on the subject of education.

"At a council held at Philadelphia ye 17th of ye 11th month, 1683, present, William Penn, Proprietary and Governor; James Harrison, John Syncock, Christian Taylor, Lasse Cock, William Biles, William Clayton, Thomas Holmes.

"A law proposed to encourage making of linen cloth.

"A law proposed for making of several sorts of books, for the use of persons in this province."

"Proposed, that care be taken about the learning and instruction of youth: to wit, a school of arts and sciences."

"read, write, and cast accounts," at "eight shillings by the quarter." It was an institution of much loftier pretensions, where the pupil was conducted through the regions of the pure mathematics, and taught to venerate the spirit of antiquity in the language of Greece and Rome.

"Romano et Gæco quæ docet ore loqui,"

says Thomas Makin, the successor of the celebrated George Keith, in its magisterial duties, whose muse was prompted to describe in Latin numbers, the physical and moral beauties of the infant province.

Few, among the early Friends of Pennsylvania, attained a more distinguished and just celebrity than David Lloyd. His claims to our notice as a scholar are equally interesting, if not imposing, as those which exhibit him on the arena of public life, the master spirit of the assembly, and the soul of the popular cause.

But the luminary that casts the broadest circle of light on our early literature, is the secretary Logan: a name full of reverend honour and exalted worth. The wreath that encircles his venerated brow yet blooms with unfaded and unparticipated lustre. In him the profound and abstruse sciences were crowned with the accomplishments of elegant learning. He was familiar with the sublimest abstractions of the mathematics; but he had also drunk deeply at the soul-inspiring streams of classical literature. Like the philosopher of Tusculum, whose beautiful reflections on old age were the subject of his version, the sage of Stenton found in the society of the muses a retreat from the anxiety of political distinction. The patron of Godfrey, the correspondent of the most eminent literati of the old world, his splendid collection of books attests his love for science and his munificent appropriation of it, his zeal for the public good.

Nor ought we on the present occasion, to omit a name highly distinguished abroad and at home in the departments of natural science—that of the Quaker John Bartram, whom Linnæus dignified as the greatest natural botanist in the world. His amiable disposition threw a mild lustre over his great talents, and rendered him the object of universal love and esteem.

The literary resources of a people, the dissemination of its press, and the extent of its libraries, afford no mean criterion of its intellectual wealth. Apply this remark to the "Quakers" of Pennsylvania, and if they are not found intellectually rich, they must at least be acknowledged to have laid the foundations of mental affluence. In which of the colonies, as in Pennsylvania, was a press established within four years from the first print of the emigrant's footstep? Among the earliest contributors, the warmest promoters, and the most active managers of the public library which adorns our city, not a few were members of the Society of Friends.

A bequest by Thomas Chalkley in 1748, of a small collection of books, formed the germ of the library belonging peculiarly to the Society. Enriched by the munificence of various donors, among whom John Pemberton and Anthony Benezet, are the most conspicuous, this institution has reached a highly respectable station, and embraces the gems of polite literature, as well as the standards of scientific knowledge.

II. A prominent characteristic of the present age, distinguishing it from the most polished periods of antiquity, is the spirit of active and enlightened philanthropy. No longer confined to the circle of individual effort, its sphere is now diversified and enlarged by associated and systematic exertion. To her Quaker inhabitants is justly due the credit of having steadily propelled the career of disinterested and practical benevolence that has been so honourably sustained by Pennsylvania. Its fruits are beheld not in the splendour of eleemosynary erections, but in those solid foundations of unobtrusive usefulness which it is not vanity to boast of: in the reform of prisons, the relief of disease, and the general alleviation of human misery. If from the

early annals of our commonwealth, we descend to the history of later times, and trace the origin and progress of those numerous institutions of benevolence which characterize our community, we shall not hesitate to attribute much of their efficiency and success to the powerful co-operation of the Society of Friends.

A historical detail of these institutions, however gratifying in itself, and connected with the present subject, would transcend the limits to which I am confined. I cannot, however, forbear a reference to one, which, in the scope of its design and the excellence of its details, stands unrivalled in this country—the Pennsylvania Hospital. This noble monument to humanity has its origin in the philanthropic exertions of the Friends, received its largest contributions from that society, and has always been subject to their peculiar superintendence and control. In the earliest roll of its managers, we recognize some of the most prominent Quakers of the province;* and its calendar during the lapse of eighty years, exhibits the steady impress of their influence.

III. It remains for me to direct your attention to other and more important points in our general outline. To trace the distinctive features moulded on our civil polity by a body of men who long held the plastic powers of legislation, involves not a little that is interesting and instructive. Time has thrown its shadows over many of their labours. Innovation, which experience shows not always to be improvement, has forced new channels over many ruined structures of our forefathers. They yet remain imbedded in our constitution, principles coeval with its existence, and which, I trust, neither time nor innovation will be able to efface—and least of all, the principle of *religious toleration*.

I. I do not claim for Penn or his associates any merit of originality in the conception of the principle. It is native to great minds of all ages and countries. Bacon advocated it at the elbow of a bigoted and despotic prince. To Milton and Locke it was a truth congenial and self-taught. Yet to make liberty of conscience an article of political faith—to sever church from state, was long regarded as a dangerous heresy in the systems of the most enlightened nations. The honor of having burst the fetters of ancient prejudice, and given to the world the first practical illustration of the compatibility of religious liberty and civil security, has been the subject of competition, and may be considered as still "*sub judice*." The name of Roger Williams has long been consecrated by its association with this illustrious merit. His claims have met with formidable opposition in those of Coddington, the leader of a community of Quakers, and the principal instrument in the settlement of Rhode Island. Of one fact there is perhaps no longer any doubt, that religious liberty was first engrafted on the civil constitution in the charter granted to Rhode Island, in 1663, by the second Charles. If to a sister colony be due the honour of having first adopted the principle, let us not be insensible to the extraordinary merit of the founders of Pennsylvania, in establishing as a fundamental article of their system, what was certainly a novel theory in legislation. It would be injustice to our ancestors to judge of their productions by the lights of our present experience. We believe with confidence, and we rejoice in the belief, that the sceptre of intolerance is for ever broken by the spirit of enlightened inquiry, before which the crown and the tiara have bowed with submissive deference. Intolerance has certainly few avowed, perhaps few secret advocates. Religious freedom seems as essential to our existence as the very atmosphere we breathe; and, as with that atmosphere, in the general diffusion of the blessing, we lose our sense of its value and importance. Fairly to appreciate their merits, we must reflect on the great and wonderful advance of Penn's institutions beyond the

* Joshua Crosby, Isaac Pemberton, jr., Hugh Roberts, Joseph Morris, John Smith, and Charles Norris.

genius of his age. It must not be forgotten that from the days of Wickliffe till a very recent period, intolerance has with more or less severity, reigned over the land of Newton and Locke. We must recollect, too, that even in America, not all our sister colonies can boast of having thrown wide their doors to the victims of oppression. In New England, founded by fugitives from oppression, the Quakers were proscribed with a severity (almost incredible). What must have been the spirit which dictated the law of Massachusetts Bay, of the 20th October, 1658, condemning every person convicted of belonging to the *cursed sect* of Quakers, to banishment on pain of death! And how delirious the fanaticism which actually inflicted on four individuals the final penalty of this inhuman law! The cruelties exercised toward this sect in Massachusetts and other provinces endeavour to find an apology in the temper of the age; as the biographers of Calvin have sought to justify his sanguinary persecution of Servetus, by its being the habit of the time. If the records of Pennsylvania are stained by no similar excesses, the exemption is in a great measure to be attributed to the liberal, comprehensive, and statesmen-like policy of her Quaker founders. In Maryland, the Church of England was at an early period established by law; and a poll-tax of forty pounds of tobacco levied for the support of the parochial minister. In South Carolina, a similar establishment was made a fundamental article of the constitution, in opposition to the opinion and advice of its great author, Locke; and a court of inquiry instituted, bearing the features of the celebrated High Commission. In Massachusetts, church membership was an indispensable qualification for the administration of the civil government, and even the exercise of the elective franchise. The elders or ministers, though not regarded as forming a separate estate, were consulted in matters of civil as well as religious nature; and no affairs of moment were determined without a formal reference to their judgment. It would have been no difficult measure for the Quakers to have erected for themselves an ecclesiastical superiority in Pennsylvania, long regarded as the peculiar asylum of their sect. But such an establishment was equally hostile to their religious tenets and their political sentiments. Universal liberty of conscience and equality of worship were made the corner-stone of their building, written in capitals on the final charter, and declared to be an indestructible element of the constitution of Pennsylvania.

2. Nor is there a brighter page in the annals of our state, than that which records her signal efforts in the suppression of the African slave trade. Were every other monument of her wisdom blotted from existence, the friends of humanity would yield to this the homage of unceasing admiration.

The merit of having given the impulse to public sentiment in Pennsylvania on this interesting subject is due to the Society of Friends. The suppression of this odious traffic, which the common feelings of civilized mankind now join in viewing with abhorrence, has always been regarded by that society, as a duty peculiarly imperative. Among the earliest advocates of the oppressed African, were the founder of the society and his disciple Edmondson. Their example has been pursued by their followers with a zeal which no obstacles could dishearten. A brief abstract of their labours in Pennsylvania is essential to our subject, and, I trust, will prove not entirely destitute of interest.

The first public protest against the buying, selling, and holding of slaves, issued from an humble fraternity of Quakers at Germantown, in the year 1688. The great truths here proclaimed were soon echoed throughout the several religious meetings of the Province.

The year 1711 is distinguished in our legislative annals by a law to prevent the importation of negroes and Indian slaves. But the spirit which dictated the "cursed assiento," guided the councils of the mother country, and rendered abortive the earliest colonial effort to

check the growth of this hideous offspring of European avarice.

In the following year, a duty of twenty pounds was imposed on every negro imported into the province.

The attempt to restrain, like that which sought the entire abolition of slavery, perished at its birth.

Every legislative effort to extirpate the moral disease which contaminated Pennsylvania, being thus defeated by the misguided policy of the English cabinet, no field remained but that of private individual exertion. On this the Society of Friends entered with a zealous integrity of purpose, which was the surest harbinger of their success.

The importation and purchase of negroes were in the most absolute and unqualified manner prohibited by the yearly meetings in 1715, 16, and 19; and the quarterly meetings were directed, in 1737, to report the conduct of their members on this subject.

A still more convincing testimonial of sincerity in the work in which they had so ardently engaged, is exhibited in the resolution of the Society, of 1755, disowning from their religious communion, all who persisted in the infamous practice of holding slaves.*

The consummation of the work yet remained. To strike off the chains which were already riveted, required a disinterested sacrifice of personal interest, such as seldom adorns the records of human actions. In pursuance of a resolution of 1758, John Woolman, an enthusiastic labourer in the cause of emancipation, was deputed to visit the owners of slaves, with the view of effecting, by argument and persuasion, their manumission. Success is said to have attended his charitable efforts. But the decisive act which sealed the testimony of the Friends, was the resolution of 1776, disowning from their society all who refused to manumit their slaves.

Thus the year which saw proclaimed our political independence, witnessed a glorious illustration of the great truth which that independence consecrated—the equal rights of man.

It is gratifying to reflect that the names of these early champions of justice have not perished in undistinct oblivion. Posterity will place Woolman and Sandiford and Lay, in the first rank of modern philanthropists. Nor will Benezet be forgotten while injured humanity shall find an advocate.† No proud inscriptions record the services of these humble Friends; but the prayers and blessings of emancipated beings are a tribute to their memory, more illustrious than the sculptured marbles which emblazon the achievements of the hero and the conqueror.

3. The policy pursued by our fathers towards the aboriginal possessors, has attracted the applause and admiration of civilized mankind. We may indulge an honest pride in the reflection that the title to our inheritance is unstained with blood, that it was not wrested by the arm of superior power, nor stolen by artifice and fraud. The unsullied purity of faith, the sacred regard for justice, which presided over our Indian relations, merited the eulogies of Voltaire and the Abbe Raynal.

If Pennsylvania did not bleed with savage cruelty—if her history records the exploits of no warrior Philip, desolating with ruthless barbarity her infant settlements, it is to the pacific policy of her Quaker rulers that she owes her exemption from the unhappy fate of the other colonies.‡ Through every vicissitude of political muta-

* See Bettle's Notes of Negro Slavery.

† Vide Memoirs of these individuals, by Roberts Vaux.

‡ The growth of New Hampshire and Massachusetts was materially impeded by their Indian wars. It is computed by Hutchinson, (p. 200,) that from the commencement of Philip's war in 1675, to the year 1713, five or six thousand of the youth of the country had perished by the enemy, or by distempers contracted in the service.

tion, from the conference under the Elm Tree, to the association of '55, the children of Onas, as the Quakers were styled by the aborigines, were the advocates of peace, and the guardians of Indian rights.

But I forbear pursuing a subject which has been treated at length in an address formerly delivered on a similar occasion.*

4. In developing the influence exerted on our early institutions by the Society of Friends, the criminal jurisprudence of our state claims a share of our attention;—I mean that ameliorated code which the Founder and his associates substituted for the barbarous penalties of the English law.

Capital punishment, the lawfulness and expediency of which have of late been the theme of such frequent and animated discussion, while it did not militate with any positive tenet of their religious faith, found no congeniality in the feelings or the judgments of the settlers of Pennsylvania. To reform rather than to exterminate, was the dictate of reason as well as humanity; and of this truth they never lost sight in their legislative labours. In this, they have the extraordinary merit of anticipating the enlightened spirit of the present age—of striking out a path in which they have been industriously followed by the Romilies, the Mackintoshes, and the Peels, of later times.

By the royal charter, the laws relating to felonies were to be and continue the same as they were for the time being in England, till altered in the due course of provincial legislation. The sanguinary code of the mother country, with its bloated catalogue of capital offences, was thus engrafted on our jurisprudence. To prune its monstrous excrescences, was one of the chief and earliest cares of our ancestors. Their sense of humanity revolted at its lavish expenditure of life; their sense of justice was shocked at the indiscriminating severity of its sanctions.

In the great law, published at Chester in 1682, our fathers erected an imperishable monument of their wisdom and philanthropy. It ought never to be forgotten by their sons that in this first act of legislation, without an example from the records of English or colonial jurisprudence, the last and most solemn sanction of the law was imposed on the single offence to which it is now restrained,—wilful and premeditated murder. Corporal punishment, imprisonment, and pecuniary satisfaction, were substituted for an ignominious death.

It is somewhat remarkable that crimes so malignant in their character, so deeply affecting the interests of society, as treason and robbery from the person, are entirely omitted in this extraordinary document. They were both felonies of death in England; they were therefore capital here. The former remained untouched by legislation.† It has been thought by some that our primitive legislators, unaccustomed to the distinctions and boundaries which legal precision has marked out, intended to include robbery under the provisions against theft. Certain it is, however, that not many years elapsed before robbery was distinctly noticed and made the subject of imprisonment and pecuniary satisfaction.‡

The enlightened humanity which dictated the great law, continued to shed its mild lustre over the pages of our statute book, until the year 1717. During this period, our code stands in striking relief amidst the penal

systems of colonial America.* The provisions of the great law were with various modifications substantially re-enacted on the accession of Fletcher in 1693, and by Governor Evans in 1705. It was deeply rooted in the affections and religious sentiments of the great body of the people.

But the inveterate attachment of the mother country to the ancient system of capital punishment, demanded from Pennsylvania the abrogation of that mild and lenient policy which was her distinguishing ornament and pride. A new system arose during the administration of Keith in 1717, modelled on the rigours of the English law. Its stern behests met no response in the hearts of the Quaker population. Compelled to suffer what they wanted the power to resist, they looked back with veneration on the great law, whose mild and equitable provisions were engraven on their affections.†

5. We have yet to notice a prominent feature of the policy of our state, whose origin is to be traced to the religious sentiments of its early settlers;—its pacific policy. The unlawfulness of war, it is well known, is a cardinal point of the Quaker faith. Regarding it as the grand source of human misery, the mildest of social happiness—at once the effect and the promoter of those blighting passions that have brought "death into the world and all our woe," the founders of this sect carried their denunciation of warlike measures to an extent hardly compatible with the actual constitution of society in an iron age. The hostile relations of the two great powers of Europe, from the year 1693 to the latter half of the 18th century, were felt throughout the extremities of their respective dominions. The Canada frontier was for many years the theatre of a war aggravated by the cruelties of savage barbarity. New York was more immediately exposed to the enemy, but the peaceful province of Pennsylvania had a deep and kindred interest in her security, and our Quaker assemblies were frequently called on to sustain their share of the general burthen. No subject of colonial politics produced an agitation more deep felt and extensive. On the one hand, the proprietary representatives, shackled by no religious scruples, and jealous for the honour of the crown, and the interests of their employers, pressed with every art and all their influence, the establishment of a militia. Governor Evans played off his "alarm;" Governor Gookin menaced; Governor Thomas expostulated; but all in vain. Headed by that indefatigable champion of the people, that bold, eloquent, and able advocate of their rights, David Lloyd, the assemblies of Pennsylvania, through good report and evil report, continued to resist every effort to draw them into military measures. Armed with the panoply of religious scruples, they maintained the inviolability of conscience against the artillery of squibs, pamphlets, newspaper essays, sermons, and even judicial charges directed by their adversaries. From the pulpit, Gilbert Tennant preached the lawfulness of defensive war. From the bench, the learned chief justice of the lower counties, Mr. Chew, in an elaborate charge to the grand jury, derived its sanction from the law of nature, and the precepts of revelation.

In the universal toleration of religious sentiment; the humane regard for the rights of the Indian and the negro; the amelioration of the penal system, and the general tendency to pacific measures, we have traced the most prominent features of our civil polity, as affected by the peculiar principles of the Society of Friends.

*Discourse delivered by Roberts Vaux, Esq.

†As early as 1685, we find "a commission directed specially to William Clark and John Cann, for the inquiring, hearing and determining, of an accusation of treasonable words uttered by John Curtis, of Kent county." The grand jury returned an ignoramus to the bill.

‡In the provincial law presented to Governor Fletcher in 1693, for his ratification, the 164th and 165th relate to robbery and stealing.

*In Massachusetts Bay, no less than ten crimes were, by its early laws, punished with death. The penal system of that colony was formed on the Jewish mode; cursing and smiting of parents, blasphemy, and idolatry, were punished capitally.

†For further information on this interesting subject, reference may be usefully had to the notices of the original and successive efforts to reform the penal code of Pennsylvania, &c. by Roberts Vaux.

To fill up the portraiture, it would be my pleasing duty to show you other lineaments, expressive of the same parentage—to exhibit Pennsylvania as she was during the influence of her Quaker administration, her free constitution, and her wise laws.

I would point to the existing systems of the mother country, and show you the venerable errors and abuses which a great genius has attempted to reform, swept away with an unsparing hand during the first seventy years of our existence.

I would invite you to survey the legislation of our sister colonies during the same period, and with a modest pride would show you Pennsylvania standing on the vantage ground of social improvement. All this would be essential to the complete execution of the present duty. But I must abandon a field so attractive, yet so vast. Much of it has been already trodden by those after whose footsteps it would be vanity in me to hope to glean.

A brief survey of the general character, political and moral, of Pennsylvania, during the period that the weight and influence of the province were embodied in the Society of Friends, will occupy what is left of your patience. The subject to which your attention is now directed, would occupy no inconsiderable figure in a tract of domestic literature hitherto unattempted;—a constitutional history of Pennsylvania. We have lately beheld a distinguished scholar exploring with industrious and impartial criticism, the venerable political structures of a country to which we are indebted for the most cheering examples. May we not hope that the time is near at hand when some gifted son will attempt for Pennsylvania, what Hallam has done for England? Let us be assured that the result of such an inquiry would not diminish that devoted attachment to our institutions, which, though jealousy or disaffection may stigmatize it as national vanity, is no inefficient safeguard of our country—is a main ingredient of patriotism itself.

The early settlers of Pennsylvania were practical, rather than speculative men, with more of judgment than erudition, acquainted with the evils of arbitrary power, from their own, rather than from the records of past experience.

Contrast with the labours of these comparatively unlettered men, the offspring of one of the most god-like intellects with which the Deity has condescended to illuminate mankind—I mean John Locke. What might not have been anticipated from a mind so comprehensive, a genius so profound, a knowledge of history and of governments so extensive, as were possessed by this greatest of modern philosophers! The constitution of South Carolina was his *beau idéal* of a state—the fruit of his reflection and experience. Yet the fabric was scarce erected, before its cumbrous piles were found to be totally unadapted to the circumstances and necessities of those for whom they were intended.

What strikes us with admiration and astonishment in the institutions of Penn and his followers, is their extraordinary advancement in all those liberal principles which the revolutions of later times have developed and propagated.

The great features of our constitution, as it now stands, are to be found in the lights guaranteed to Pennsylvania during the first twenty years of her colonial existence. Pennsylvania did not acquire her freedom when she secured her independence. Born a republic, and from the cradle cherished in republican principles, the government, though in form proprietary, was essentially the government of the people. Their approbation and assent were necessary to the formation of the laws, and holding in their hands the keys of the public treasure, they had the power of seeing those laws executed.

The constitution of Pennsylvania, in the space of twenty years, passed through three transitions from its

primitive organization in 1681, till its final development in the charter of 1701.

Let us pursue it through its changes. In each we shall observe the popular principle acquiring increased volume and firmer consistency.

The original frame of Government of the 25th of April, 1682, is in all respects a very extraordinary production. Where will you find more profound speculation on the origin and nature of the social compact—more comprehensive views of the science of government; and the great ends of legislation, enforced with greater cogency, and more luminous conciseness? Throughout this noble offspring of the Founder's wisdom is breathed a spirit of exalted freedom, not that spirit which the Greeks worshipped under the name of liberty, whose rites were the delirium of wild excess, whose path was marked by licentious tumult; but a liberty of law, chaste, sober, and regulated; freedom according to his own unparalleled definition,—"that country is free, where the laws rule and the people are parties to those laws; and more than this is tyranny, oligarchy, or confusion."

By the first article of this frame, all the functions of government were vested in the governor and freemen, in the form of a provincial council and general assembly.

The great principle of the republican creed, the agency of the people through the medium of representation, was established by the first charter on the broadest basis. The representation of the province was effected by two distinct bodies: the Provincial Council, consisting of seventy-two persons, "of most note for wisdom, virtue, and ability;" and the General Assembly, composed of two hundred members annually elected, whose object is expressed in the 14th section to be "that all laws prepared by the governor and provincial council may yet have the more full concurrence of the freemen of the province." An annual rotation of one third of the provincial council secured a constant circulation of public sentiment in the deliberative body; while a provision forbidding the re-election, during the space of one year, of every member thus annually leaving the main body, was calculated to diffuse a general knowledge of the duties of legislation throughout the community.

A similar division of the representative functions is not, as far as I am aware, to be found in the history of ancient or modern states. In Massachusetts, indeed, during the early period of the colony, when the necessities of the settlers did not admit their long absence from domestic concerns, the freemen of each plantation delegated two or three before every general court, to confer of and prepare for their subsequent deliberation, such matters as the interests of the state might require.* This, however, was an arrangement of convenience, not a provision of the law. In the provincial council, in conjunction with the governor, were vested, by the frame of government, the responsible duties of digesting and preparing the necessary laws, the care of their execution, the general superintendence of the peace and safety of the province, the location of its cities, ports, and market towns, the inspection of its fiscal operations, the erection of public schools, and the encouragement and patronage of useful talent. A standing committee, subdivided into committees of plantation, of justice and safety, of trade and treasury, of manners, education, and arts, possessed all the powers of the provincial council, subject to their supervision and control.

The general assembly had no participation in these important duties. A simple affirmative or negative to the laws proposed by the governor and council, with the privilege of suggesting alterations and amendments, summed the extent of their legislative functions.

Possessing neither the right to originate laws, nor to discuss those submitted to their sanction, without the privilege of sitting on their own adjournments, or the power of resisting dissolution by the governor and coun-

* Hutchinson, p. 35.

cil,* they were but a subordinate member of the political machine; the shadow of a representative assembly.

How faint a resemblance do we here trace to the assembly of after times—to that body of enlightened statesmen, who, animated by a pure and lofty patriotism, erected the standard of political independence.

The experience of our own, and the history of other countries, have demonstrated the salutary effect of an intermediate check between the executive and the immediate representatives of the people. Such a check seems to have been proposed in the provincial council. But the accurate adjustment of the balance, (the most difficult problem in the science of government,) was ill secured in the original frame of our constitution. Too much weight was thrown into the scale of the provincial council. The assembly was a weak and helpless infant, destitute of the power of self-motion, and dependent for its vitality of action on the impulses of the council.

A scheme so unequally poised could not be of long duration. The people must and will speak their own wants through the channel of their immediate representatives. How diminished the usefulness as well as glory of the commons of England or the congress of the United States, were their halls closed in silence to those animated discussions which light up truth in the irradiations of eloquence, and elicit from the conflict of sentiment the true interests of the country!

In the charter of 1682, three privileges were wanting, essential to the existence of a dignified, efficient and independent representation:—the power of originating bills, of free discussion, and of self-adjournment.

The first two powers were soon obtained. At the first provincial assembly held in 1682, it was proposed and voted in the affirmative, that any member might offer any bill, public or private, tending to the public good, except in case of levying taxes.

Freedom of debate was anxiously provided for by our primitive legislators. At the first session of the assembly, a code of parliamentary rules was established, in which, among other wholesome regulations, is to be found one not unworthy the attention of their successors. "None to fall from the matter to the person; and superfluous and tedious speeches may be stopt by the speaker."

The practical operation of a year developed inconveniences in the original frame, which was remodelled in 1683.

The unwieldy size of the legislative body was one of the most pressing inconveniences of the existing constitution. The provincial council was now reduced to thirty-six, the assembly to seventy-two members. But the most striking alteration was a restraint imposed on the executive power, which strongly denotes the current of public sentiment. The charter of 1682 armed the governor with a treble vote in the provincial council. That of 1683 took from his hands this solitary weapon, and directed that he should perform no act relating to the justice, trade, treasury, or safety of the province, without the advice and consent of the provincial council.

Strengthening with the strength, and expanding with the increase of the colony, the popular influence demanded from Governor Markham, in 1696, a guarantee of existing rights, and a concession of new privileges. The necessity of an immediate supply drew from Markham the third frame of government, in which the right of the assembly to prepare and propose laws, and to sit upon their own adjournments, is distinctly recognised.

The charter of 1696, though never formally sanctioned by the proprietary, continued to form the basis of government, until supplied by the charter of 1701, emphatically styled the charter of privileges.

The charter of 1683 being found, to use the language

of Penn, "not so suitable to the present circumstances of the inhabitants," was surrendered by the people in May, 1700, on the pledge of a new constitution, or an amended restoration of the old one. This pledge was redeemed by the Founder on the eve of his final departure for the mother country, where his presence was required to counteract a growing influence malignant to the interests of the infant colony. It is painful to reflect that disappointment and misfortune obscured the evening of this great and good man's days.

The charter of privileges is a noble monument of his parental tenderness and wisdom.

Liberty of conscience, as the first and greatest of blessings, was for ever guaranteed as an unalterable principle of our civil polity; "Almighty God," in the solemn and impressive language of the first article, "being the only Lord of conscience, Father of lights and spirits, the author and object of all divine knowledge."

The entire change effected by this charter in the machinery of the government, merits our attention.

The provincial council as a legislative body was struck from the system.

All the legislative functions of the state were vested in the governor and assembly, who now sat upon their own adjournments, prepared bills, impeached criminals, redressed grievances, and were clothed with all other powers and privileges of a legislative assembly, according to the rights of the free-born subjects of England, and as were usual in any of the king's dominions in America.

The charter of 1701 marks an era in the constitutional history of Pennsylvania—the ascendancy of the popular branch of the government.

We have witnessed the general assembly, from small and crude beginnings, advancing gradually into notice and power, expanding its rights, enlarging its privileges, till at length the light of the provincial council was absorbed in its more powerful splendour. The assembly, as they held in their disposal the treasures of the province, were virtually the masters of the state. The inferior condition of the proprietary representative, dependent on their bounty for his support, is feelingly portrayed by Governor Thomas. "Starve him into compliance or into silence," says the irritated governor, "is the common language, both of the assembly and people here, when a governor refuses his assent to a bill, or proposes what they dislike."

We have reason to believe that a more faithful adherence to the blended forms of the British constitution, than is contained in the charter of 1701, would have been congenial to the political views of the Founder. In a curious charge delivered in 1723 to a grand jury of this county† by the participant of his counsels, James Logan, is a passage which, from the high authority of its author, I shall take the liberty of quoting. "The same method of government," speaking of the union of monarchy, aristocracy, and democracy, "also obtains not only in Britain, but in all its dominions abroad, where regular governments are established: this one colony of Pennsylvania and the adjacent counties excepted. And this only through the perversity of some few persons on a certain occasion, much contrary to the intentions or inclinations of the wise Founder; which I here mention on my own knowledge, lest this defect which is to be found amongst us only, and is a kind of blemish and exception to the uniformity of the British government throughout its dominions, should be charged to the memory of that great man whose judgment absolutely condemned it."

It is not to be supposed that by the mixture of aristocracy here referred to as entering into the original plan of Penn, was intended any distinct class or privi-

* Letter to lords commissioners, before referred to.

† Printed by Andrew Bradford, at the sign of the Bible, in 1723.

† In Massachusetts, the governor convened the general court, but had no power to adjourn or dissolve it.

leged order similar to the British Peerage, as a constituent member of the government. No people could be more averse than the early settlers of Pennsylvania, to the pomp and splendour essential to the dignified support of such a body.* It militated further with the well known republican sentiments of Penn; and the memorable failure of Locke's constitution of South Carolina, with its various orders of nobility, its palatines, landgraves, and cassiques, was a fresh example of the inaptitude of such a scheme, to the circumstances of a newly settled country. It is probable that the wisdom of the Founder contemplated nothing more than a separate deliberative body, as a member of his political system, more limited in its numbers and permanent in its duration than the assembly, to serve as an anchor against the shifting tides of popular caprice.

It is apparent from this imperfect sketch of the early constitutional history of our state, that our forefathers, averse as they were to military measures, were nevertheless champions of their political rights.

The records of the assembly are replete with examples of their hawk-eyed jealousy in relation to their political immunities and privileges. Strongly as that harmonious union which was the practical result of their

religious doctrines illuminated their private associations, their public career does not furnish an exception to the observation which has passed into a trite aphorism that party spirit is allied to a republic. Pennsylvania, in common with the other colonies, had her proprietary party, and her popular party—her court, and her country party. But it may be said of her early political conflicts, what cannot perhaps be affirmed of them at all subsequent periods, that they were contests rather of principles than of persons.

Similar divisions founded in the jealousy of royal or proprietary encroachment existed in most of the colonies. It was during the administration of that imbecile representative of the proprietary, Governor Evans, that the lines of these divisions became distinctly visible in Pennsylvania.

They were headed by no ordinary leaders. With an ardour that brightened under defeat, the popular cause was espoused by David Lloyd. An accomplished lawyer, his forensic habits gave him an advantage in the field of controversial dispute over his more profound and liberal adversary Logan, in whom the proprietary interests found an unwavering advocate.

The arms which old age compelled Lloyd to relinquish were afterwards wielded by the giant powers of Franklin. The profound and elegant author of the Farmer's Letters lent his eloquence and his abilities to prop the tottering fortunes of the house of Penn.

The Quakers as a body enlisted under the banners of the popular or peace party.

* Some notice of their merits as a political association is essential to the subject before us.

The task is one of no small difficulty. In vain do we look for an impartial sentence from the excitement of contemporary partizans. It is the office of posterity to pronounce a decree which justice shall sanction. And even when time has thrown his shadows over the events and the actors of the great drama, the force of prejudice perpetuates the errors which the fever of the moment give birth to. Who can have studied the elaborate monuments of genius which the historians of the two great parties of England have erected, without feeling that the severe impartiality of the judge is too often lost in the ingenuity of the advocate? In our own annals we can never cease to regret that the effulgence of Franklin's intellect was clouded by the rancour of party. The fame of the philosopher and the man of genius derives no brilliancy from the labours of the historical partizan.

The proprietary instructions long continued to be the source of misunderstanding and contention. The right claimed by the proprietary family of fettering the official conduct of their deputies by private instructions, was resisted by the assembly as a claim unauthorized by the constitution, unknown to the laws, and an obvious resumption of powers granted by the charter to the executive branch of the government. The proprietary representatives were bound in heavy penalties to the scrupulous observance of their instructions. A chain was thrown round the free exercise of their official duty; the more oppressive because imposed by foreign residents, without reference to the immediate exigencies of the state. It is not to be wondered at that such unyielding restrictions which interfered with the enactment of salutary statutes, were regarded by the people as an incubus on their growing prosperity. The pretensions maintained at times by the council to a co-ordinate legislative rank with the assembly were likewise the fruitful source of bitterness and dissension. It was contended with much weight of reason, that the frame of Markham, and the charter of 1701 had entirely abrogated the legislative functions of the council, who could no longer be regarded in any other light than as the mere private advisers of the governor. There can be little doubt then on both these important points of difference, the sounder argument rested with the popular party. Allusion has been already made to

* More regard seems to have been paid to distinctions of rank in Massachusetts and South Carolina than in the other colonies. In the former an endeavour was made from the earliest period to preserve two distinct ranks or orders; the gentry and commonalty. There was a general disposition to elect the governor and principal officers from the former rank—the ministers preached it as a Christian and moral duty. A curious paper has been preserved by Hutchinson, to whom I am indebted for the foregoing statement. It is an answer to Lords Say, Brooke, and other gentlemen of distinction, who had conceived the plan of establishing themselves in New England. Their proposals required that the commonwealth should consist of two distinct ranks, hereditary gentlemen and freeholders: the first rank to enjoy hereditary seats in the parliaments or public assemblies, and to give their votes in person: the consent of both ranks being essential to the making and repealing of all laws. Their proposals met a favourable reception; the answer to the first proposal is expressed in these words: "Two distinct ranks we acknowledge from the light of nature and the Scripture, the one called princes, or nobles, or elders, (among whom gentlemen have their places,) the other the people. Hereditary dignity or honor we willingly allow to the former, unless by the scandalous and base conversation of any of them they become degenerate."

The constitution of South Carolina was modelled by Locke on feudal principles. The eldest of the lords proprietary was Palatine. The province was divided into counties, each county consisting of eight signories, eight baronies, and four precincts. There were as many landgraves, and twice as many cassiques as counties. These formed the hereditary nobility of the province, and were by right of their dignity, members of the parliament. Each landgrave had four baronies, and each cassique two baronies, hereditary and unalterably annexed to his dignity. In every signiory, barony, and manor, the respective lord had power in his own name to hold court-leet, for the trial of causes civil and criminal. The restraints upon alienation were strict and unwise.

Georgia was likewise established by its trustees on a feudal basis. Each tract of land was considered as a military fief, for which the tenant was to appear in arms and take the field, when called on in the public defence.

Land was granted in tail male only and on failure of issue reverted to the crown. The plan was not crowned with success. The trustees in 1752, surrendered their charter to the king who established a legislature similar to the other royal governments in America.

the dissensions excited in the province by the attempts to organize a military force.

Minor causes of irritation existed: these, however, were the chief grounds of the long and animated controversy between the popular and proprietary parties. Like all similar associations, in the ardour of conflict, both occasionally lost sight of reason and moderation. The former have been charged with ingratitude to the proprietary family. In passing our sentence on their conduct, we must not forget that as jealousy is the companion of love, so a noble ardour for liberty is the most part attended by an overvigilant fear of encroachment.

Such Mr. President, is a rapid and imperfect sketch of the civil polity established by the followers of Penn. To discuss its merits, to test its relative advantages by comparison with the political systems of other ages and nations, would carry me beyond the limits of the present undertaking. Its prominent and most beautiful features have been preserved, and I trust will ever be perpetuated in our present excellent constitution.

If, as we have seen, the founders of Pennsylvania guarded their political rights by the solemn assurances of charters, and fenced them round with legislative enactments, it cannot be denied that they possessed a muniment of their freedom far better than any written sanctions. I allude to their virtue—the simplicity of their manners—the purity of their morals—the industrious economy of their lives. They were indeed good men: and “good men,” as Penn admirably observes in the preface to his Frame of Government, “are better than good laws: for good laws may want good men, and be abolished or evaded by ill men: but good men will never want good laws, nor suffer ill ones.” The law is in theory supreme: but public opinion is the sovereign of the law, because its aid is essential to the effectual execution of the law. It is only when they move together in the same sphere of justice that the public happiness attests their harmonious co-operation.

The influence which the principles and the discipline of the Society of Friends exerted on the moral health, and consequently on the political soundness of our community, is a point to which your attention may well be directed, as it is essentially interwoven with the causes of our early prosperity. That influence has not ceased to operate, but it operates with a force diminished by the greater extent of the surface over which it is diffused.

The lover of ancient reminiscence will perhaps discover, in the wonders of modern improvement, a sad departure from the pristine character of our community. Linger with delight on those patriarchal days, when the representatives of provincial Pennsylvania, the assembled majesty of the people, scrupled not to take refuge from the rigours of their own simple apartment* in the comfortable mansion of Isaac Norris; when a dinner to the newly installed Mayor was an event of no inconsiderable magnitude, the admirer of time and things gone by, may be tempted to exclaim with the Roman, “O morem præclarum, disciplinamque quam a majoribus accepimus, si quidem teneremus: sed nescio quo pacto jam de manibus elabitur.”

It is true that the prints of our father's footsteps are fast buried in the sweeping tides of luxury and wealth. The virgin settlement† of Penn, now grown into the matron mother of science, commerce, and the arts,

* In the votes of assembly 1699, 12th mo. 7th, it is recorded that the assembly “adjourned to Isaac Norris's house, (by reason of the extreme cold) for an hour, at which time and place the house met, &c.”

† Penn, in his valedictory address to his friends in 1684, uses this language, “And thou, Philadelphia, the virgin settlement of this province, named before thou wert born, what love, what care, what service, and what travail have there been to bring thee forth, and preserve thee from such as would abuse and defile thee.”

vies in proud embellishment with European elegance and splendor. Yet we are still surrounded with vestiges of the olden time. In our streets, in our dwellings, in our institutions, around and on every side, exist monuments of an influence that has not passed away. In the steadiness of movement, the peaceful regularity, the chastened repose, the unambitious solidity of comfort, the aversion to unsubstantial glitter, to sudden changes of sentiment and action, and to all the high flights of folly and fashion which have stamped a distinctive character on Philadelphia, we cannot fail to recognize the silent, but wide spread and durable influence of the Society of Friends.

Few speculations within the range of the philosopher possess more curious interest than the analysis of national character. To trace manners to their origin, often deep-seated in antiquity, and by reference to the climate and local circumstances to exhibit the connexion between the moral and physical constitution of man, is one of the most agreeable and useful exercises of philosophical inquiry. But of far deeper interest, because of far greater importance, is the relation which exists between the condition of society, the morals and the manners of a people, and its political destinies. It is therefore the duty of history faithfully to portray the manners while it records the actions of a people. It is thus, and thus only, that it claims its highest merit—that of teaching by examples.

Poets of all countries, in embodying their thoughts of man as he ought to be, not as he is, have described a period of the world, an age of purity, happiness, and peace, which never had existence but in the rainbow colours of their own beautiful fancy. The picture of the primitive society of Pennsylvania needs but the touch of this enchanting pencil to elevate it to a golden age. The belief in mysterious and supernatural agency, and the discussion of subtle points of theology, literally rent New England in pieces. A single trial for witchcraft, which ended, however, in an acquittal, stands upon the records of Pennsylvania, as the Keithian controversy was the only one that disturbed the harmony of the Society of Friends. Indeed it is a striking feature of that society, that will doubtless recommend it to the good opinion of not a few, rather studiously to avoid than to invite or willingly engage in polemical discussion.

Eminently calculated to diffuse a spirit of harmony and order, to systematize society, and to promote that tranquillity which is the great motive of its institution, the end and object of its laws, the principles of the Friends inculcated a deep and solemn veneration for the constituted authorities of government. “Government,” says Penn,* “seems to me a part of religion itself, a thing sacred in its institution and end.” Thus regarded as an emanation of divine power, and invested with a religious reverence, the moral guilt of arresting or disturbing its functions enhanced the civil crime.

The spirit of private litigation is perhaps more fatal to the peace of society, than the daring outrage which openly insults the majesty of the law. It unseals the bitter fountain of evil passion; it saps the morals, it weakens the energies of a community. The early inhabitants of Pennsylvania endeavoured to set bounds to an evil that militated with their pacific principles, and made frequent legislative efforts to check and control what they could not wholly exterminate. In illustration of their peaceful character, it is related that the adversary of the venerable Pastorius, a name honourably distinguished in our annals, to deprive him of all professional assistance, retained the entire bar of the province. Happy age! when such a stratagem could be effected; when Pennsylvania required the services of but three lawyers.

An honest straight going simplicity, a simplicity truly republican, adorned the path of our fathers. In

* Preface to his Frame of Government.

dress, habits, manners, accomplishments, learning, legislation, in every sphere and department of life, in public and in private, this is the pervading beautiful characteristic.

In the statute book, it is seen to reject with an unsparing hand, the cumbrous forms and artificial processes which time, not reason, had consecrated in the mother country. While it never flattered vanity at the expense of truth, nor sacrificed utility to senseless show, the simplicity of our ancestors was entirely aloof from the ascetic severity of gloomy fanaticism; it claimed no kindred with the sanguinary spirit which dictated the blue laws of a sister province. Springing, not from the physical necessities of a new settlement, but from the purer source of religious principle, it continued to adorn their conduct, when wealth unlocked her stores, and invited them to banquet.

It requires no depth of penetration to discover, that the simplicity and pacific disposition enjoined by the testimonies of the Friends, must have powerfully contributed to the preservation of social order. Could principles like these,—principles which, by chaining the passions, restrain the chief agents of human misery, be brought into general and effectual operation, our jails would be empty, our criminal tribunals deserted, and prison discipline, matter of curious speculation, rather than as now a subject of immense practical importance.

What, indeed, on the score of morals and social improvement, might not be hoped from a system which sought to destroy the current, by stopping up the source of vice? How profound and practical is the wisdom of that memorable provision of the first laws, which dictated that all children of the age of twelve years “be taught some useful trade or skill, to the end that none may be idle, but the poor may work to live, and the rich if they become poor, may not want!” A specific is here furnished for the maladies which the political physician is required to treat, more sovereign and effectual than sanguinary edicts, or the rigid sanctions of penal enactments.

It may, perhaps, be thought that a state of society so pure, so simple, so regular, is congenial only to the limited scale of a narrow and unambitious community. It is true, indeed, that the theories of political experimentalists have seldom been fairly tested on an extensive scale. In not a few of its features, the system established by the Friends of Pennsylvania resembles the beautiful model attributed to the genius of the humane and enlightened Berkeley.* If it did not exhibit the rich colourings, the high-wrought mouldings, the splendid ornaments of some other systems, its arrangements were more convenient, its foundations were deeper, its materials more solid; it was better calculated to resist the shocks of faction, and the waves of time.

It is but a just tribute to her Quaker rulers to say, that under their mild and equitable administration, Pennsylvania, the youngest of the colonial sisters, advanced with unparalleled rapidity in her career of prosperous improvement. Commerce poured her treasures into the lap of peace.† The canvass of her merchants whitened the most distant waters. Long before the Parrys and the Franklins of our day had achieved immortality by their heroic enterprise, the ship *Argo*, equipped by the merchants of Philadelphia, sailed on the perilous voyage of polar discovery.‡

* Contained in the political romance of “Gaudentio di Lucca.”

† Philadelphia began at an early period to acquire the reputation for ship building which she has ever since maintained. In 1724, nineteen vessels, tonnage 959, were built. In the year commencing March 25th, 1735, and ending March 25th, 1736, 197 vessels were entered and cleared at the port of Philadelphia, of which 57 were ships, and 44 brigs.

‡ A very interesting account of the attempts made in

With reference to our present and our future interests, the review of that portion of our annals to which your attention has been invited, is not without profitable instruction. If there be any truth in experience, any moral in history, any lesson inscribed on the tombs of empire, it is that virtue is the life of free institutions. Virtue was emphatically the glory of our fathers; may it long continue to be that of their sons! And as a means of preserving a heritage so inestimable, let us reverence the memory, and cherish the principles, and emulate the actions of those wise and good men, who planted the tree that now covers us with its broad shade. To look back upon their institutions, to retrace with historic step the paths they trod, will not fail to animate, invigorate, and refresh. Thus, gentlemen, may your society fulfil a higher and a nobler purpose than the mere gratification of literary curiosity. It may fulfil an important duty to our common country.

IMPRISONMENT FOR DEBT.

A gentleman who has given much time to the consideration of imprisonment for debt, and the collection of facts relative thereto, has furnished us with the subjoined statement. The suffering attendant on this mode of procedure can only be known to those who take pains to inquire closely into its operation. It is an aggregate of evil which all must deplore; and to increase the cause for lamentation, it appears that 13 of the sufferers were incarcerated for militia fines,

“—a trifling sum of misery,
Now added to the foot of the account.”

But we give the tabular statement:—
Imprisonment for small debts, say less than \$5 33¼, in the debtor's apartment of the city and county of Philadelphia, between the 1st of December 1829, and the 1st Dec. 1830.

Number of cases,	433
Time—months,	12
Total debts,	\$1488 13
Total days of confinement,	3322
Number of debts paid,	68
Amount of debts paid,	\$160 68
Amount of days of confinement previously suffered,	214 00

Of the 68 persons imprisoned who paid their debts, 13 were for militia fines, amounting to \$26, after suffering about 28 days of confinement.—*U.S. Gaz.*

ANNUAL REPORT OF THE COMMITTEE ON THE SINKING FUND.

Mr. Massey, Chairman. Read in Select Council, March 14th, 1833.

To the Select and Common Councils:
The Committee on the Sinking Fund, in pursuance of an Ordinance of Councils, passed April 14th, 1824, submit the following Report of their transactions for the year ending 1st March, 1833, and have annexed thereto the accounts of the City Treasurer, showing the receipts and payments during the year; and in order to explain the same more fully, submit the following concise statement thereof:

Received for the redemption right of two lots on Lombard street, between Ninth and Tenth streets, agreeably to the Resolution of Councils passed 29th April, 1830,	\$ 1,200 00
Received annual appropriation of Councils agreeably to Ordinances,	22,000 00
Received interest and dividends on stocks held by the Sinking Fund,	18,538 78

1753 and 1754, by Captain Swaine, in the schooner *Argo*, to discover a north west passage, will be found in the American quarterly Review, vol. 3. See also Register, vol 1, p. 381.

Received for premium on \$100,000 loan- ed to the Corporation August 29th, 1832,	13,500 00
	55,238 78
Paid for 53 Certificates of five per cent. City stock,	6,010 50

The Committee would observe that the sum of \$49,228 28 the balance of said account herewith submitted, they deemed inexpedient to invest, as public stocks of every description have been held at so high a premium; in addition to which, had the Committee decided upon investing that sum, it would have been only for a short period, as they have to provide for the payment of \$85,000 of the funded debt of the City, payable on the first day of May next; therefore, it would be necessary, previous to that time, to dispose of as much of the stock held by the Sinking Fund, as will liquidate that debt; and as the Corporation was in want of these funds, they considered it advisable and judicious to permit the City Treasurer to use them for City purposes, until the first day of May next, allowing an interest at the rate of 5 per cent. per annum, at which time the amount is to be placed in the City Treasury, which will be so much towards that debt; consequently, it will be only requisite to provide for the deficiency, by disposing of as much of the stock held by the Sinking Fund, as will be sufficient to redeem the debt aforesaid.

They would recommend that an Ordinance be passed, appropriating a further sum of \$3,000 annually, to the credit of the Sinking Fund, from the income of the Water Rents, in addition to the \$14,000 already appropriated, to commence in the month of May next, in quarterly payments.

The interest payable on the loans contracted for the Fair Mount Water Works, amounted on the 1st of January, 1833, to \$71,611; and the debt on that account to \$1,348,200; that of the interest on the Corporate debt, besides, to \$38,570, and the principal to \$747,400, making the whole debt of the Corporation \$2,095,600:—deducting therefrom the available means of the Sinking Fund, amounting to \$335,331 56 in permanent investments, and \$49,228 28 due by the City, together \$384,559 84, will reduce the debt to \$1,711,040 16.

The Fair Mount Water Works are now in the most flourishing situation, the income therefrom increasing rapidly, and will probably continue to increase:—the income amounting this year to \$77,567 75. That the Committee have deemed it proper, under these highly favourable circumstances, to recommend the additional annual appropriation aforesaid.

They would further state, that the annual appropriation by Ordinance, of \$8,000 from the income of the Corporate estate of the City, together with the dividends arising from the Stocks of the Schuylkill Permanent Bridge, besides occasional receipts from other sources, renders it unnecessary at this time to make any further appropriation from the Corporate estate, and the whole surplus over and above the foregoing sums, will be applied to the credit of the tax fund of 1833. The whole income of the Corporate estate is estimated to amount, this year, to \$34,526.

The Committee cannot but express their entire approbation of the advantage arising from the establishment of a Sinking Fund, based upon proper principles; as it is calculated to redeem the whole debt of the Corporation as it becomes due, without scarcely being perceptible; as the sums yearly reserved for that purpose, are of small amount, compared to the principal sum to be redeemed, at a distant period. In order to show the practicability of this, if the yearly sum of \$3,000 be placed out at 5 per cent. per annum, and allowed to accumulate for thirty years at a compound interest, it will amount, by a calculation made by the City Treasurer, to \$212,282 36, in twenty years to \$107,157 75, and in ten years to \$42,620 36.

The Committee are decidedly of opinion, that when an Ordinance is passed for the borrowing of money, a sum (at the same time) should be appropriated annually, sufficient to redeem the sum borrowed, at maturity. All of which is respectfully submitted by your Committee.

CHARLES MASSEY, JR.
MANUEL EYRE,
JOSEPH AKENS,
S. V. MERRICK,
R. M. HUSTON,
JOSHUA LIPPINCOTT.

Attest,
CORNELIUS STEVENSON, *Secretary.*
Philadelphia, March 11th, 1833.

The Sinking Fund of the Mayor, Aldermen and Citizens of Philadelphia, from March 1st. 1832, to March 1st, 1833.

DR.	
1832. May 23. To cash, for 53 Certi- ficates of 5 per cent. City stock,	\$6,010 50
1833. Feb'y. 28. Balance,	49,228 28
	55,238 78

CR.	
1832. April 26. By cash, for the re- demption right of a lot on Lom- bard street,	\$600 00
May 2. By quarterly appropria- tion,	5500 00
June 15. By cash, for the re- demption right of a lot on Lom- bard street,	600 00
July 2. By six months' interest on \$236,600 City five per cents.,	5915 00
July 2. By six months' interest on \$2,900 City six per cents.,	87 00
August 2. By quarterly appropria- tion,	5500 00
Aug. 13. By cash, six months' interest on \$66,891 56 State 5 per cents.,	1672 29
Aug. 15. By cash, six months' dividend on Schuylkill Perma- nent Bridge Stock,	157 60
Aug. 16. By cash, six months' dividend on Schuylkill Naviga- tion Company Stock,	1625 00
Aug. 29. By cash, premium on loan of \$100,000,	13,500 00
November 10. By quarterly ap- propriation,	5500 00
1833. January 1. By six months' inter- est on \$236,600 City five per cents.,	5915 00
Jan. 25. By six months interest on \$2,900 City six per cents.,	87 00
Jan 25. By Cash, six months' dividend on Schuylkill Perma- nent Bridge Stock,	157 60
February 2. By quarterly appropria- tion,	5500 00
Feb. 13. By cash, six months' interest on \$66,891 56 State five per cents.,	1672 29
Feb. 16. By cash, six months' dividend on Schuylkill Naviga- tion Company Stock,	1250 00
	55,238 78
By Balance,	\$49,228 28

Errors Excepted.
CORNELIUS STEVENSON, *City Treasurer.*
March 11th, 1833.

Certificates of Stocks belonging to the Sinking Fund of the City of Philadelphia, March 1st, 1833.

By whom issued.	Interest paid to.	Redeemable.	Amount.	Total.
City five per cents.	January 1st, 1833,	January 1st, 1839,	\$10,000 00	\$
" " "	" "	" " 1840,	300 00	
City six per cents.	" "	" " 1840,	2900 00	
City five per cents.	" "	July 1st, 1845,	26,000 00	
" " "	" "	January 1st, 1846,	16,200 00	
" " "	" "	July 1st, 1848,	9000 00	
" " "	" "	" " 1850,	17,600 00	
" " "	" "	January 1st, 1851,	20,000 00	
" " "	" "	" " 1855,	4200 00	
" " "	" "	April 1st, 1855,	18,500 00	
" " "	" "	July 1st, 1855,	10,000 00	
" " "	" "	" " 1856,	25,000 00	
" " "	" "	January 1st, 1857,	2300 00	
" " "	" "	" " 1857,	12,000 00	
" " "	" "	July 1st, 1858,	13,500 00	
" " "	" "	" " 1858,	2800 00	
" " "	" "	" " 1859,	34,200 00	
" " "	" "	January 1st, 1863,	15,000 00	239,500 00
State five per cents.	February 1st, 1833.	June 1st, 1841,	1106 37	
" " "	" "	" " 1841,	5673 46	
" " "	" "	December 1st, 1846,	10,519 31	
" " "	" "	" " 1850,	22,000 00	
" " "	" "	" " 1853,	15,500 00	
" " "	" "	" " 1854,	12,092 42	66,891 56
Schuylkill Navigation Co.	February, 1833,	500 shares of stock,	25,000 00	
Schuylkill Perm't. Bridge,	January, 1833,	394 shares of stock,	3940 00	28,940 00
				335,331 00

An account of the different Loans to the Mayor, Aldermen, and Citizens of Philadelphia, showing their respective amounts, the period of their becoming due, and annual interest thereon.

Amou't of Loans at 5 per cent.	Amou't of Loans at 6 per cent.	When payable.	Amount of Interest at 5 per cent.	Amount of Interest at 6 per cent.	Total Interest.
	\$70000 00	May 1st 1833		\$4200 00	\$4200 00
\$15000 00		" " 1833	\$750 00		750 00
26400 00		January 1st 1838	1320 00		1320 00
10000 00		" " 1839	500 00		500 00
	290100 00	" " 1840		17,406 00	17,406 00
	10000 00	July 1st 1840		600 00	600 00
91900 00		January 1st 1840	4595 00		4595 00
33500 00		" " 1843	1675 00		1675 00
	50000 00	July 1st 1845		3000 00	3000 00
26000 00		" " 1845	1300 00		1300 00
	70000 00	January 1st 1846		4200 00	4200 00
386000 00		" " 1846	19,300 00		19,300 00
30000 00		July 1st 1848	1500 00		1500 00
57600 00		" " 1850	2880 00		2880 00
68000 00		January 1st 1851	3400 00		3400 00
	25000 00	" " 1852		1500 00	1500 00
30000 00		" " 1852	1500 00		1500 00
	25000 00	" " 1853		1500 00	1500 00
25000 00		" " 1854	1250 00		1250 00
26000 00		November 1st 1854	1300 00		1300 00
23000 00		January 1st 1855	1150 00		1150 00
18500 00		April 1st 1855	925 00		925 00
10000 00		July 1st 1855	500 00		500 00
55000 00		" " 1856	2750 00		2750 00
67000 00		January 1st 1857	3350 00		3350 00
50000 00		July 1st 1857	2500 00		2500 00
83500 00		" " 1858	4175 00		4175 00
32400 00		January 1st 1859	1620 00		1620 00
55000 00		July 1st 1859	2750 00		2750 00
67500 00		" " 1860	3375 00		3375 00
36200 00		January 1st 1861	1810 00		1810 00
37000 00		" " 1862	1850 00		1850 00
60000 00		July 1st 1862	3000 00		3000 00
35000 00		January 1st 1863	1750 00		1750 00
100000 00		July 1st 1864	5000 00		5000 00
1,555,500 00	\$540,100 00		\$77,775 00	\$32,406 00	110,181 00
1,555,500 00	At five per cent. per annum,				77,775 00
540,100 00	At six " "				32,406 00
\$2,095,600 00				Total interest,	\$110,181 00

THIRD ANNUAL REPORT

OF THE MANAGERS OF THE SOCIETY FOR THE ENCOURAGEMENT OF FAITHFUL DOMESTICS.

The Board of Managers of the Society for the Encouragement of Faithful Domestic, submit to the public the following account of their proceedings, since the report of the last year. The benefits which were expected from the formation of the Society have thus far been fully realized.

The advantages proposed by those who undertook the establishment of the Society, were to provide a respectable place where Domestic with good characters might apply for situations, free of expense; and where Housekeepers and others might have a choice of Domestic with such characters.

The Society wish it understood that they do not guarantee the conduct of the Domestic they send to Subscribers. The Agents uniformly refer the applicants to the parties by whom they have been recommended, and to whom they ought in every case to address themselves personally.

The Managers invite the Subscribers to avail themselves of their privilege of registering the names of their Domestic, as candidates for the premiums offered by the Society. Each Subscriber may register one Domestic free of expense.

That the premiums have a tendency to stimulate to stability and faithfulness, none can doubt; and it is clear, that principles of benevolence and self-interest call upon our citizens to leave nothing undone, that may tend to elevate the character of this class of our population, on whom, in a greater or less degree, the morals and manners of the rising generation depend.

Subscribers can almost always be supplied not only with Waiters, Chambermaids, Cooks and other Domestic, but Nurses and Seamstresses; the latter either to dwell in the families of their employers, or to take the work to their own homes.

We annex the Report of the Board of Female Managers, a Committee of whom visit the office three times a week, and afford important aid to the Agents, and inspire confidence in Employers and Domestic.

From the following summary, a judgment may be formed of the business and utility of the office:

By the Agents' Report for the past year, the Applications for Domestic were	1473
“ “ Situations	1895
Males	116
Females	871
	987

The Engagements of the preceding year were	956
New Subscribers since last report	92

Signed by order,

MATTHEW CAREY, V. P.

DURDEN B. CARTER, Sec.

Philadelphia, Oct. 22, 1832.

The visiting Ladies' Committee for the year past beg leave to report, that from the opportunities afforded them of ascertaining the operations of the Society, they are warranted in stating that the prospect of the usefulness and efficiency of the Society is very flattering. By a recurrence to the books, the number of Domestic applying for situations at this time is found to have considerably increased, compared with the preceding year, and they are of an improved character and appearance. There is also encouragement in the increasing number of new Subscribers, and the return of many of those who had withdrawn.

They congratulate the Society on the favourable notice and respect which are shown it by Ladies not Subscribers, who repeatedly send Domestic with certificates of character, and recommend application to this Society as the best means of obtaining situations.

It is found necessary again to remark, that considerable inconvenience arises from the neglect of Subscribers to furnish the names of the Domestic they engage, to

the Agents, immediately, in order to give a correct statement of the number of engagements made during the month. It is hoped that more attention will be paid to this regulation in future.

This Committee with pleasure bear testimony to the untiring zeal and fidelity with which the Agents discharge the duties of their office, endeavouring to supply Housekeepers with Domestic, and Domestic with situations, to their mutual advantage.

Monday morning, 10th mo. 22d, 1832.

(Signed) DOROTHEA KELLY,
ELIZA M. POTTS.

Society for the Encouragement of Faithful Domestic, in Account Current, with Thomas Earp, Treasurer.

DR.

To Cash paid Commissions to Collector	\$32 25
Do. paid for printing and stationary	41 61
Do. paid for fuel	93 42
Do. paid Agent's salary	600 00
Do. paid rent for office	400 00
Do. paid premiums to domestic	28 00
Do. paid for Furniture	75 50
Balance in hand	583 58
	<hr/> \$1857 36

CR.

By Balance in hand, as per last Annual Report	\$707 36
Cash received from Subscribers to the Society from Oct. 24th, 1831, to Oct. 22, 1832	1150 00
	<hr/> \$1857 66

Balance in Treasury October 22, 1832, \$583 58.

Examined, and found correct: the balance in the hands of the Treasurer being five hundred eighty-three dollars and fifty-eight cents.

ISAIAH HACKER,
M. D. LEWIS.

From the Pennsylvania Inquirer.

I.A.W CASE—ILLEGAL FEES.

Levi Ellmaker vs. John Harrison, late Recorder of Deeds.

The above action was originally instituted before Alderman Badger, in the year 1821, to recover the amount of the penalty (\$50) given by the act of Assembly for the taking of illegal fees.

It appears that the plaintiff in July, 1821, requested from the defendant, then Recorder of Deeds for the city and county of Philadelphia, a certificate of, and his seal to, a copy of a record in his office. The certificate was delivered to plaintiff, and the sum of fifty cents demanded for the same, viz: 37½ cents for the certificate and seal, and 12½ cents for a search. The plaintiff refused payment of the 50 cents, and offered 37½ cents, the fee designed by the act of Assembly to be charged for a certificate and seal.

The Recorder, however, insisting on the charge, plaintiff paid the sum demanded, at the same time giving notice that suit would be brought to recover the amount of the penalty.

Alderman Badger gave judgment for the plaintiff. Defendant appealed, and the cause being argued before Judge King, judgment was again given for the plaintiff. Defendant then took out a writ of error to the Supreme Court, where the case was finally argued before the Court in Bank, on the 25th of January last.

The action being founded on the 18th section of the act of March, 1814, commonly called the Fee Bill Act, Purdon's Digest, p. p. 309, 10, the only question was, whether the Recorder can charge 37½ cents for certificate and seal to a record, and 12½ cents in addition thereto for a search for such record, the act expressly providing that the fee of 12½ cents shall only be

charged "when no other service is performed for which fees are given."

The opinion of the Supreme Court was delivered by his Honour Judge Huston, who, commencing by saying that "the case was too plain to admit of argument," confirmed the decisions of Judge King and Alderman Badger.

Much credit is due to Mr. Ellmaker for his steady perseverance in this matter. Complaints are constantly heard of the illegal fees charged by our public officers, but few have courage to resist the imposition.

In this case, no improper motive is attributed to the Recorder, the charge having been always made by his predecessors in office, and believed by him to be correct, and the object of Mr. Ellmaker being solely to obtain a legal decision on the point, he deriving no benefit from the amount of the penalty.

The cause was argued in the Common Pleas, and also in the Supreme Court, by S. J. Henderson, Esq. for the plaintiff, and Josiah Randall, Esq. for the defendant.

WEST CHESTER, Feb. 22.

WASHINGTON'S BIRTH-DAY, was suitably noticed by the Military and citizens of West Chester.

During the morning our market-house was illuminated, and the stalls were ornamented and enriched by the superior beef and mutton of several of our farmers. The steer fed by Thomas Garrett, tanner, was very good; and the beef, four years old, weighed 1170 lbs. Joseph Gheen, Jr. offered for sale and disposed of eight fat sheep, very handsome in appearance, the aggregate weight of which was 844 lbs. averaging 105½ lbs. Jacob Few exhibited and sold some excellent mutton, fed by Benedict Darlington; and we are told that Henry H. Horne slaughtered for the 22d six sheep of his own feeding which weighed as follows; viz:

1st 78—2d 79—3d 97—4th 89—5th 93—6th 85—whole weight 521.

The separate weight of Mr. Gheen's sheep were 1st 145—2d 127—3d 104—4th 102—5th 98. Yearling lambs—1st 90—2d 89—3d 89.

The best pieces of beef sold for 12½ cents per lb.—and the mutton from 9 to 12½ cents.

THE REGISTER.

PHILADELPHIA, MARCH 30, 1833.

The State Loan of \$2,540,661.44, bearing an interest of 5 per cent., and reimbursable in 1858, has been taken by Dr. Jesse R. Burden at a premium of \$13.51 per 100 dollars. The next highest bidder was the Bank of Pennsylvania, who offered \$13.50 premium. The premium received on the last loan was \$14.08, which was reimbursable in 1860. To this circumstance the difference in the premium is attributed.

We observe in the Mauch Chunk Courier the following resolution:

Office of the Lehigh Coal and Navigation Co. } Philadelphia, March, 5th, 1833.

Entered from the minutes of the Board of Managers, March 5, 1833.

"Resolved, That no toll be charged on the Boats passing down the Lehigh Canal when loaded exclusively with Coal, or, on the Boats going up for Coal."

EDWIN WALTER, Secretary.

A considerable portion of our present number is occupied with the Address of P. McCall, Esq. Its perusal will, we have no doubt, afford much gratification to our readers.

MILITARY OF PENNSYLVANIA

From 1821 to 1832 inclusive—compiled from the returns of the Adjutant General for those years.

Years.	Divisions.	Brigades.	Regiments.	Gov. Com- mander-in- chief.	Major Gen- erals.	Brig. Gen- erals.	Adj't Gen- eral.	Infantry including officers.	Volunteers.					Grand Total.	Militia Ex- penses per Auditor's Report.	Militia and Exempt fines.		
									Troops.	Cavalry.	Compa- nies.	Artil- lery.	Compa- nies.				Infan- try.	Compa- nies.
1821	1632		120	1	16	108	1	128,095		1292	1123		7,356	5,931	15,702	143,923	17,747.52	7378.97
1822	1632		126	1	16	224	1	133,126		1562	1523		11,096	6,759	20,940	154,308	25,837.68	5297.65
1823	1632		129	1	16	224	1	134,532	34	1614	1528	202	13,560	125	23,738	162,918	34,277.19	4126.51
1824	1632		138	1	16	194	1	134,337	36	1905	1820	206	15,340	151	28,439	20,289.26	29,280.09	
1825	1632		139	1	16	188	1	135,546	34	1737	31	1956	262	16,493	29,866	23,449.04	4153.79	
1826	1632		144	1	16	194	1	136,944	36	1859	44	2289	250	16,133	30,619	23,238.05	5120.50	
1827	1632		144	1	16	187	1	140,574	40	2005	40	2596	291	17,639	32,227	26,666.75	1516.20	
1828	1632		148	1	16	189	1	144,628		2047		3068		10,114	32,906	24,542.80	890.71	
1829	1632		148	1	16	189	1	145,894		1891		2943		10,842	33,048	22,090.24	7847.13	
1830	1632		134	1	16	180	1	157,710		2873		3661		11,330	34,377	23,859.00	1381.41	
1831	1632		136	1	16	185	1	158,502		2833		3934		10,580	35,999	29,859.00	2313.27	
1832	1633		138	1	16	192	1	152,892		3620		3536		11,868	36,041	21,562.43		

* Exclusive of 50 Battalions and sundry odd companies. † Exclusive of 61 Battalions and sundry odd companies. ‡ Exclusive of 70 Battalions and 19 odd companies. § Exclusive of 73 Battalions and 23 odd companies. ¶ Exclusive of 78 Battalions and 34 odd companies. †† Exclusive of 32 Battalions of Volunteers composed of 533 companies. ‡‡ And one Battalion of Militia and 12 Regiments, 81 Battalions of Volunteers composed of 538 companies. §§ For the account of 1832, we are indebted to a member of the Legislature, not having been able to procure the printed report itself of the Adjutant General.—For remarks see next page.

On comparing the number of the militia in 1821 with the population between 18 and 45 in 1820, it would appear that about 29870 persons were not enrolled at all—and making a similar comparison between the number of military in 1831, with the population of 1830, there appears to be about 61,984 not enrolled—showing that the militia system operates very unequally—that a large portion of the population of the suitable age escape the burdens and expense of militia duty, while others are oppressed with them; and that as so much larger a portion is not enrolled in 1831, than escaped in 1821, a greater degree of carelessness in the officers whose duty it is to enrol now exists than then, or that the inhabitants, by some means avoid being enrolled more generally now than formerly.

It appears that in 1832, the whole number of military is 189,143; of which 36,041 are volunteers, and 152,892 are militia—while in 1821, the volunteers were only 15,702, and the militia 128,095—being in 1821, volunteers to militia about one in eight—and in 1832, about one in four—shewing a considerable proportional increase of volunteers in 1832.

The small proportion of militia and exempt fines collected when compared with the annual expenses of the system, is very striking; as is also the difference between the amount of the fines themselves in different years. Considering the general abhorrence of the system, and the repugnance which the citizens manifest to training, it seems incredible that the fines should amount to no more than the sums annually returned, as paid into the Treasury.

Shad appeared in our Market towards the close of last week.

For want of room we are obliged to exclude an account of the very interesting procession of Firemen which took place on Wednesday, as also several important reports from the Legislature, for which we have to return our thanks to several members.

An ordinance was passed on the 14th inst. by the Burgess and Council of Allegheny, according to which scantling and shingles may be bought and sold without employing a commissioned Board-measurer and Inspector; but in case of dispute as to quantity or quality, either party may require the assistance of those officers, whose decision shall be final and conclusive.

The following are the fees to be charged by the Board-measurers and Inspectors of boards, scantling and shingles:

For measuring and inspecting boards or scantling, (scantling by running measure,) for any quantity not exceeding 1000 feet,	20 cts. per 1000 feet.
do. do. from 1000 to 5000,	15 do. do.
do. do. exceeding 5000,	10 do. do.

For measuring and inspecting shingles for any quantity not exceeding 5000,	10 do. do.
do. do. from 5000 to 10,000,	8 do. do.
do. do. exceeding 10,000,	5 do. do.

The Measurers and Inspectors are required to pay quarterly into the borough treasury 20 per cent. of all monies received as fees.

From a list of the hawkers and pedlers lately published by the Auditor General, we have made the following abstract:

	Foot pedlers	One horse and wagon.	Two horses and wagon.	Total.
Adams county,	0	2	0	2
Allegheny,	9	2	3	13
Armstrong,	0	1	0	1
Beaver,	0	1	0	1
Berks,	3	2	1	6
Butler,	0	1	0	1
Centre,	1	2	0	3
Columbia,	0	1	0	1
Chester,	0	1	0	1
Crawford	0	1	0	1
Dauphin,	2	2	0	4
Franklin,	1	5	0	6
Greene,	0	1	0	1
Huntingdon,	1	0	0	1
Indiana,	0	1*	0	1
Lancaster,	13	9	4	26
Lehigh,	1	4	0	5
Luzerne,	1	0	0	1
Lebanon,	0	2	0	2
Mercer,	0	1	0	1
Northampton,	5	2	8	15
Northumberland,	0	2	0	2
Philadelphia,	69	34	6	109
Pike,	0	3	0	3
Somerset,	0	0	1	1
Susquehanna,	1	2	0	3
Tioga,	0	1	0	1
Union,	0	1	0	1
Washington,	0	0	1	1
Wayne,	2	0	0	2
York,	1	1	0	2
Perry,	0	0	2	2
Bedford,	0	1	0	1
	110	86	25	221

* One pack-horse.

We observe, that into some of the canals water has been let, and that others are preparing to commence operations. A boat arrived here from Harrisburg on the 27th inst.

There has been a considerable freshet in the Susquehanna.

Thomas U. Walters has been elected Architect of the Girard College.

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DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

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REPORT ON EDUCATING POOR CHILDREN.

Communication from the Secretary of the Commonwealth, under a resolution of the 9th January last, relative to Educating Poor Children within this commonwealth. Read in the House of Representatives, March 16, 1833.

*Office of the Secretary of the Commonwealth, }
Harrisburg, March, 15, 1833. }*

To the Speaker of the House of Representatives.

SIR—In compliance with a resolution of the House of Representatives of the 9th January last, "That the Secretary of the Commonwealth be requested to obtain, from the commissioners of the several counties of this state, a statement, to be laid before this House at as early a day as possible, of the number of children schooled at public expense in each county for the last four years, together with the sums annually expended for their instruction during those years, designating the number instructed in Lancasterian schools, with such other information in relation to the state of education in Pennsylvania as he may deem useful and important," a circular letter was, on the same day, addressed to the commissioners of each county in the commonwealth, desiring that an immediate communication might be made to this department, embracing a detail of the information required by the resolution. On the 5th and 25th ultimo, repeated applications were made to the commissioners of those counties from which no replies had been received up to those respective dates. I transmit with this communication, a tabular abstract of the reports so far as received.

In the forty-nine counties heard from, the average number of children returned under the act of the 4th of April, 1809, during the year 1829, was 15,002. The amount expended under provisions of the same act, was \$46,850 54½. The year 1830, the number returned was 15,839—the amount expended, \$51,859 10½. In the year 1831, the number returned was 17,224—the amount expended, \$52,331 40½. And in the year 1832, the number returned was 17,467—the amount expended, \$48,466 25.*

Under the second and last clause of the resolution of the House, which directs the Secretary to communicate "such other information in relation to the state of education in Pennsylvania, as he may deem useful and important," I have prepared and send herewith, a schedule of universities, colleges, and academies created by our laws, all, or nearly all of which have been, from time to time, liberally endowed by donations in money from the treasury, and grants from the public domain, designating the year in which they were severally instituted, amounting to two universities, eight colleges, and fifty-five academies; and I take occasion here to remark, that it will be found on examination, that no other branch of the public interest has produced more frequent and voluminous legislation, than that of education. The numerous acts on this subject would make a volume of considerable size, and yet it may well be doubted whether any important matter of public con-

cernment has been less benefited by the direct action of the government; and it is a lamentable fact that, at this advanced period, Pennsylvania is without a general system of free schools *established by law*, agreeably to the constitution. By a reference to the statute books, it will be found that all public grants for the purpose of education, in Pennsylvania, whether in shape of money or land, prior to 1831, have been exclusively confined to institutions, accessible to the rich alone. Without questioning the constitutionality or general expediency of this course, I may nevertheless be permitted to say that, to my mind, the practice which has partially obtained since the year 1795, in the endowment of colleges, academies, &c. to annex a condition that a few poor children should be taught for a limited period, free from expense, ought to be considered rather as an apology for the postponement of a palpable duty, than the fulfilment of a wise and humane provision of the constitution, which says that "the Legislature shall, as soon as conveniently may be, provide by law for the establishment of schools throughout the state, in such manner that the poor may be taught gratis."

The people, the true source of power, have in the constitution, which is the work of their hands, ordained and decreed that the "arts and sciences shall be promoted in one or more seminaries of learning;" this wholesome provision was promptly complied with; at an early period of the government, institutions devoted to the higher branches of education were established, and have been endowed at public expense, at various times, in all not much less than half a million of dollars; and whatever difference of opinion may exist as to the manner in which those funds have been managed, I know of no one who has questioned the constitutionality of the grants.

The people have also, in the same constitution, ordained and decreed, "that schools shall be established by law throughout the state, in such manner that the poor may be taught gratis"—this has been neglected. There is no law in Pennsylvania that provides for the establishment of schools throughout the state, nor has there been a dollar granted from the public treasury for the exclusive purpose of educating the poor. "The poor may be taught gratis"—this is the poor man's boon, and, save his personal privileges, it may be called his only constitutional heritage. The rich *may* work, but the poor *must* work or suffer; the wealthy may hire his substitute, but the poor man, in time of war, *must* fight the battles of his country; and is it not right, is it not just, as it is constitutional, that his children should be taught gratis? It is the industrious poor, taken as a class, who are the real producers of the necessities and comforts of social life; it is the labouring man who daily adds to the common mass of material wealth, though he receive of it himself only a mere pittance. If the maxim be true, that knowledge is power, and liberty itself but a precarious blessing without it, then its general diffusion becomes the common interest of all our citizens, in proportion to the extent each may have, personal and pecuniary, to defend and protect. Intelligence may, then, be considered the mental commonwealth, and of course, of universal interest; and it is believed, by the most experienced, that the only plan that can effectually reach that class intended to be pro-

* See editorial remarks, page 216.

vided for by the constitution, is the system of general free schools, where all may meet for the attainment of this great object of common interest, without the legal recognition of the odious distinction of "rich and poor." Owing to the imaginary degradation arising from this distinction, it is believed, of the whole number of poor, not exceeding two hundred, which are provided for in colleges and academies, a still less number are found willing to accept benefits on terms thus humiliating. Would it not, then, be better that all distinctions calculated to produce comparative degradation, be unknown to our laws, especially in reference to the subject of mental improvement? and from hence, let it be diligently taught, that the improvement of the mind is not alone the subject of individual enterprise in a free government, but that intelligence and freedom are to each other as cause and effect, and let it be a part of our system, to teach the true relation that exists between knowledge and liberty; and that as the happiness of man, simple man, is the ultimate and legitimate end of all government, so ought it to be the all-engrossing attention and constant effort of all who govern, to make man, collective man, wise and virtuous, to the end that he may be happy.

Every day's experience demonstrates, and all history teaches, that in the same ratio that education and knowledge has been disseminated among the great mass of community, it has demanded, and generally obtained, political freedom; and thus have been reared, from time to time, the ramparts of liberty against the encroachments of tyranny; and as the spread of knowledge has given birth to civil liberty, so is its increase and extension necessary to give it character and durability; and after all, man will be more or less the creature of circumstance. From the very nature of things, inequality in society will exist, but let it be as nearly graded as is compatible with human nature itself; let not the rights and enjoyments of the opulent be disturbed; at the same time let native talent have due credit for bursting the chains of indigence; let rational piety and true virtue be cherished, although they be found in the humblest walks of life, and let them receive their proper rank; but let not all the honours due to these be lavished on favoured objects, enfeebled by that indolence which is too frequently the concomitant of affluence, merely because the chance that gave them birth, bestowed also the right to hereditary wealth.

Under the specious title of "An act to provide for the education of the poor gratis," is the law of the 4th April, 1809, and from which we derive the only general authority in reference to the education of the poor as a state system, and which has generally proved as abortive in its operation, as it is delusive in its title. This law provides, that all children between the ages of five and twelve years, whose parents are unable to pay for their schooling, may be sent to the most convenient school, to be paid for out of the county funds. This system, while it compels the recipient of its benefits first to record his own stigma, and recognizes, in their most exceptionable forms, the distinction of rich and poor, carefully avoids the appropriation of a dollar out of the public treasury for the education of the poor; and though it has been contended by some that this law does all that the constitution requires, it is flagrantly deficient in its most essential features, viz. "the establishment of schools throughout the state." It may be proper here to remark, that the number of poor children exhibited by this report, as having been returned by the different assessors throughout the state, furnishes no just criterion of the number who have been actually taught, or of the portion of time each may have been at school, it being well ascertained that on account of the supposed disgrace which attaches to acknowledged poverty, many poor children who ought to be, are not returned, and many who are returned, do not go to school at all, and others very irregularly.

That this system has materially failed to produce the

contemplated and desired results, is clearly evinced by public opinion uniting in its condemnation; as specimens of which, I insert below various extracts from letters elicited under the resolution of the House.

The commissioners of one county, in giving their statement, say—"The present system is decidedly bad, and the teachers, with very few exceptions, worse than the system."

Another report says—"We have no schools on the Lancasterian plan, in this county, and it is deeply to be regretted that, from the manner in which our common schools are conducted, not only the education of those children whose parents are able to pay for their tuition, but of the poor children, is in a deplorable condition."

A third says—"That it (the present system) is a system of prodigality and wasteful extravagance, a real burden upon the people, without accomplishing, in any reasonable manner, the end intended."

A fourth—"The system of education in this county, is deplorably bad, and calls loudly for reform."

A fifth says—"The commissioners would beg leave to observe, that the present system is very defective, as well as expensive, and that it does not answer the purpose for which it was established; because the modest and unassuming poor do not avail themselves of the benefits of the system, on account of the odium that is by some attached to the present mode of education, which creates a distinction between the rich and the poor, not consistent with the freedom of our republican institutions, and operates very frequently to the defeat of the constitutional object,—the education of the poor at the public expense. And it is a further objection, made by many of our intelligent citizens, to the present system, that no provision is made for inquiring into the qualifications, moral and literary, of the persons employed as teachers. They would therefore suggest, through you, to the Legislature, the propriety of changing the present mode of educating the poor, for one more congenial to the feeling of this republican commonwealth, and introduce in lieu thereof, a system of common school instruction similar to that of our eastern states, or such an one as they in their wisdom shall think calculated to do away the odious system now in use."

It will be perceived, that the introduction of the Lancasterian or monitorial system of instruction, continues to be retarded. This fact must necessarily be a source of much regret; and, when it is recollected that five children may receive all the benefits of schooling upon this plan, at the same cost that it requires to educate two upon the system in general use, cannot but excite surprise.

It cannot fail of being a source of the sincerest pleasure and exultation to every patriot and philanthropist, to witness the representatives of the people engaging in this great work of mental improvement, with a zeal and earnestness designed to elevate the character of man, and the precursor of countless blessings to after generations. The grand impediment to the commencement of a general system of free schools in Pennsylvania, hitherto, may be fairly chargeable to the want of a distinct fund for that purpose, and the fear of meeting the responsibility of adopting measures for its creation and accumulation. The obstacle has at length been in a great measure removed, by the act of the 2d April, 1831, providing for a general system of education, which sets apart as a common school fund, the proceeds arising from unpatented lands, fees in the land offices, and all monies received in pursuance of the provisions of the fourth section of an act to increase the county rates and levies for the use of the commonwealth, passed the twenty-fifth day of March, 1831, the proceeds of which will, on the 2d of April next, amount to not less than three hundred and four thousand dollars. This sum, with the amount annually accruing, under the provisions of the act aforesaid, is chargeable upon the internal improvement fund, at a compound interest of 5 per cent. until it shall annually amount to at

least \$100,000. Assuming, in some measure, the operation of the law for the present year, as the basis, this sum will be at the disposal of the Legislature, for the promotion of free schools throughout the state, on or about the 1st of April, 1839. This fund, from which we may fondly anticipate great and lasting benefits, owes its origin to the unceasing exertions of the present Chief Magistrate, who, in his memorable message of the 14th Jan. 1830, in giving to General Assembly "information of the state of the commonwealth," among other things, urged its formation in the strongest terms. The self accumulating principles contained in our present system for raising a school fund for the promotion of popular education, which imposes a merely nominal tax of only one-tenth part of a cent, on a dollar of the assessed valuation of taxable property, and which is applied immediately for purposes of internal improvement, and pledged ultimately for the promotion of free schools throughout the commonwealth, if perpetuated and the Legislature should deem it right, from and after the year 1839, to convert the means for raising a school fund agreeably to the provisions of the act of the 2d of April, 1831, into a school revenue, making a moderate allowance for the increase of the assessed valuation of property, cannot fail of producing a sum not less than three hundred thousand dollars per annum; which sum, added to one hundred thousand, being the interest at five per cent, arising from the fund of not less than two millions of dollars, which will be then accumulated, would place at the disposal of the Legislature, for the purposes of free schools, from and after the year 1840, from this source alone, a sum not less than four hundred thousand dollars per annum, with the probable increase of revenue equal to the increased demand consequent upon the increase of population. Such a state of things, it is believed, would place Pennsylvania on an equal, if not more favorable position, as the patron of popular education, than has been exhibited by any other state in the Union in so limited a period, and by a process so simple and easy.

It seems to be generally admitted, by those who have turned their attention to the subject, that the state of New York, has in operation decidedly the most comprehensive and efficient system of general education, regulated by law, that is now extant. The first attempt in that state to raise a school fund was made in 1795, by means of small annual appropriations from the state treasury, and like all other important and beneficial innovations, met at first with fierce opposition, arising from the prejudices of early and confirmed habit. The spirit of enlightened liberality however prevailed, and in 1805, a more solid foundation for the magnificent superstructure she has since raised, was laid by the passage of a law for setting apart the net proceeds of the sales of five hundred thousand acres of unappropriated public land, to form a "permanent fund for the support of common schools," to which was added in the same year three thousand shares of bank stock owned by the state, with a provision that no distribution to its ultimate object should be made until the annual interest should amount to a sum not less than fifty thousand dollars; since which, various other sources, such as quit rents, fees of clerks of certain courts, proceeds arising from the sale of certain town lots, have been added to the fund. In 1811 and 12, measures were taken to organize pursuant to law, a general system of common schools, and the first distribution of money under its provisions was made in 1816, amounting to \$55,720 98. An all-important effect produced by the benevolence and liberality of the government of that state, and which example I have no doubt would be followed by our own citizens under similar circumstances is, that each school district raises by means of tax or voluntary contribution for school purposes, a sum not less, and frequently much greater, than that granted by the state.

Since 1816, the number of children taught, and the

amount of money expended under the present system, have regularly increased, until, in the last year, 1832, we have the sublime spectacle of 507,105 pupils, without distinction, receiving regular and constant instruction, upon uniform principles, under the direct supervision of the government, at an expense of about one million of dollars, or not much exceeding two dollars per scholar; whilst Pennsylvania, for the same year, with equal wealth and a population not vastly inferior in number to that of New York, presents the lamentable contrast of 17,467 children not educated, but returned as subjects entitled to receive instruction, under a system condemned by universal public opinion and experience, and that too at an expense of \$48,466 25. The impolicy of our past legislation is not on account of the amount expended, so much as the multiplicity of institutions upon which it has been bestowed, without system and without effect. If the public bounty, to the amount before mentioned, had been judiciously confined to a limited number of seminaries for instructing the higher branches, and the energies of the state properly applied to the promotion of common free schools, the beneficial results at this day would be incalculable. Error becomes criminal, when persisted in contrary to the lights of reason and experience; and whatever may extenuate for want of precedence and analogy in the past, nothing can justify a similar course in future. Every thing proves to us that we have greatly erred, and it is now the highest virtue to retract and "do our works over"—revise our early efforts, and adopt some system, the general usefulness of which shall show, that we have profited by the lessons of experience.

I have the honor to be, very respectfully,

Your obedient servant,

SAMUEL M'KEAN.

List of Universities, Colleges and Academies, in Pennsylvania, with the date of their institution.

University of Pennsylvania,	A. D. 1755
Western University,	1820
Dickinson College,	1783
Franklin do	1787
Jefferson do	1802
Washington do	1806
Allegheny do	1815
La Fayette do	1826
Madison do	1827
Pennsylvania do	1832
Germantown Academy,	1784
Pittsburg, do	1787
Philadelphia Episcopal Academy,	1787
Reading Academy	1788
Newton do	1790
York do	1799
Chambersburg do	1799
Beaver do	1803
Northumberland do	1804
Norristown do	ib.
Easton do	1805
Bellefonte do	ib.
Greensburg do	1806
Wilkesbarre do	1807
Meadville do	ib.
Harrisburg do	1809
Greensburg, Somerset, Gettysburg, Bedford, Greene, and Butler academies,	1810
Chester, Mercer, Williamsport, Erie, and Waterford academies,	1811
Loller, and Venango academies	1812
Delaware, Beachwood, Franklin, Athens, Orwigsburg, and Allentown academies,	1813
Indiana academy	1814
Stroudsburg do	ib.
Lewistown do	ib.
Lebanon do	1816

Huntingdon	Academy	1816	Clearfield	Academy	1827
Susquehanna	do	ib.	Milford	do	ib.
Wellesborough	do	1817	Mifflinsburg	do	ib.
Danville	do	1818	Union	do	ib.
Ebensburg	do	1819	Lancaster	do	ib.
Kittanning	do	1821	Smethport	do	1829
Warren	do	1822	Le Raysville	do	1830
Strasburg	do	1823	Dundaff	do	ib.

Abstract of Reports of the Commissioners of the several counties in the Commonwealth made in reply to a communication from the Secretary's Office, dated the ninth of January, 1833, in pursuance of the directions of a resolution of the House of Representatives of the same day, requiring information as to the number of children schooled at public expense, in each county, for the last four years, together with the expense of instruction, so far as received up to this date, March 15th, 1833.

COMMON SCHOOLS.

COUNTIES.	Date of report.	Date of reception.	1829.		1830.		1831.		1832.	
			No. returned by as'r.	Expense.	No. returned by as'r.	Expense.	No. returned by as'r.	Expense.	No. returned by as'r.	Expense.
Philadelphia	Feb. 12th	Feb. 14th	780	\$7442 10	714	\$8576 04	906	\$8106 18	Not mentioned*	
Delaware	25th	28th	254	1309 28	255	1371 17	279	1434 63	260	\$1387 58
Chester	7th	10th	1335	4125 56	1556	4701 85	1669	5052 64	1796	5463 40
Bucks	12th	15th	1122	3893 68	1128	3589 97	1110	3202 66	976	3308 48
Montgomery	Jan. 23d	Jan. 25th	883	3084 87	833	3105 06	849	3477 53	900	3065 25
Berks	23d	25th	256	980 44½	313	1304 11½	399	1568 96½	450	1805 30½
Schuylkill	22d	25th	28	38 90	47	98 74	52	221 23	168	729 30
Lancaster	21st	23d	1593	5571 07	1721	5771 28	1939	5599 90	1813	6237 47
York	11th	12th	1000	3500 00	1000	3500 00	1000	3500 00	1000	3500 00
Dauphin	30th	31st	484	778 00	484	1074 00	484	960 00	484	1374 00
Lebanon	14th	16th	132	508 41	226	696 49	310	808 25	449	1245 23
Northampton	21st	25th	920	2335 90	1216	3091 19	1410	3540 38	1637	4183 25
Wayne	Feb. 11th	Feb. 15th	93	61 58	112	120 68	133	180 91	176	190 08
Pike	Jan. 12th	Jan. 23d	12	10 00	26	51 29	51	53 33	63	46 00
Lehigh	Feb. 4th	Feb. 10th	174	508 96	141	360 76½	191	452 39½	233	526 14½
Northumb'd	11th	13th	123	299 86½	126	393 11½	178	570 39½	240	713 10½
Union	Jan. 15th	Jan. 21st	154	248 41	154	347 65	154	304 18	154	415 38½
Columbia	Feb. 12th	Feb. 15th	223	275 92	245	407 67	237	491 68	249	471 26
Bradford	Jan. 18th	Jan. 21st	313	262 48	468	333 01	431	323 41	465	320 88
Tioga	14th	21st	126	117 01	126	196 43	126	170 21	126	214 73½
Susquehanna	January	Feb. 9th	366	289 42	245	232 01	300	270 23	265	273 60
Lycoming	Jan. 15th	Jan. 18th	151	175 80	173	251 54	170	315 62½	146	244 97½
Centre	28th	30th	276	341 25	210	365 70	295	475 00	368	597 84
Clearfield	March 4th	March 14th	64	105 50	69	136 25	54	149 10	63	109 56
Huntingdon	Jan. 22d	Jan. 25th	337	685 09	422	1091 51	445	817 84	425	860 45
Luzerne	Feb. 4th	Feb. 7th	207	325 00	297	368 43	245	456 07	328	471 84
Mifflin	No report.									
Junata	Jan. 21st	Jan. 25th	Not organiz'd						134	201 08
Adams	Feb. 14th	Feb. 21st	284	946 02	278	907 61	301	856 84	340	1055 37
Franklin	Jan. 12th	Jan. 14th	433	2517 68	296	1351 43	267	1106 27	279	1003 06
Cumberland	Feb. 11th	Feb. 14th	860	2153 10	794	2135 01	693	1824 35	818	1682 80
Perry	Jan. 16th	Jan. 19th	170	169 11	139	152 41	152	171 17	230	308 59
Bedford	25th	28th	63	264 01	63	379 05	63	339 15½	63	383 40½
Somerset	Feb. 20th	Feb. 22d	90	228 00½	60	148 45	45	153 84½	52	71 28½
Cambria	Jan. 14th	Jan. 16th		18 61½		18 61½		18 61½		18 61
Westmorel'd	Feb. 12th	Feb. 14th	93	226 00	134	327 00	117	239 00	118	237 00
Allegheny	7th	10th	260	560 08	260	1387 08	260	1109 75	260	1378 82½
Washington	12th	18th	668	1283 61	642	2096 50	820	2139 26	830	2290 63
Fayette	Jan. 18th	Jan. 25th	328	860 37½	412	909 05½	483	1089 77	455	1140 68½
Beaver	19th	22d	39	42 19	50	83 65	59	111 99	81	128 79
Butler	21st	25th	19	23 02	14	32 12	18	31 61	14	42 20
Indiana	21st	24th	38	32 78	31	19 31	23	33 08	31	46 91
Armstrong	15th	19th	12	16 86	12	12 31	12	27 94	12	20 92½
Mercer	Feb. 19th	Feb. 25th	None		None		None		None	
Erie	Jan. 18th	Jan. 23d	37	7 94	57	35 78	37	84 31	37	143 71
Venango	24th	28th	5	11 00	3	10 19	3	9 87	10	58 59
Warren	Feb. 5th	Feb. 15th							3	5 88
Crawford	11th	18th	156	162 24	205	217 90	335	353 88	365	387 26
Greene	No date	18th	41	53 41	102	99 68	99	107 96	101	126 54
M'Kean	Jan. 30th	6th	None							
Potter	No report									
Jefferson	No report									
			15,002	\$46,850 54½	15,839	\$51,859 10½	17,224	\$52,331 40½	17,467	\$48,466 24½
LANCASTERIAN SCHOOLS.										
Philadelphia	Feb. 12th	Feb. 14th	4303	17,203 33	4657	18,150 28	4602	19,176 87	Not mentioned*	
Lancaster	Jan. 21st	Jan. 23d	308	800 00	329	800 00	309	800 00	287	800 00
Dauphin	30th	31st	80	1315 07	80	1500 54	80	864 21	80	734 1
			19,693	\$66,168 94½	20,905	\$72,309 92½	22,215	\$73,172 48½	17,834	\$50,000 4

* See editorial remarks, page 216. † Four years average. ‡ No average. § Average sums.

REPORT

Of the Committee of Ways and Means to whom was referred so much of the Governor's Message as relates to the subject of Finance. Mr. Read, Chairman. Read in the House of Representatives, March 22, 1833.

The Committee of Ways and Means, to whom was referred so much of the Executive Message as relates to the subject of Finance, REPORT;

That they have had the subject under consideration, and have not failed to perceive, that under existing circumstances, it is a subject of all-absorbing interest to the community. The committee has also noticed, that in reference to this subject, much misapprehension and error is pervading the minds of many citizens of the commonwealth; that being a subject too abstruse and complicated, to be fully investigated in the time that can be spared from the ordinary avocations of life, by the great majority of the people, the timid politician and the cursory observer have taken such an indistinct view of its outlines, as to alarm themselves and their neighbours; while the interested and designing politician, has seized upon it as a political lever, to move the passions and raise a general panic. The subject of finances not having been generally understood, and often having been wilfully misrepresented, some despondency has been felt, and some fears have been, and perhaps are entertained, of state insolvency, or at least of impaired credit and perplexing embarrassments.

The executive department informs us, that the treasury, at the present time, "exhibits a state of prosperity highly propitious to the credit of the commonwealth," and "dispenses with the necessity, at present, of forming plans for the future increase of the state revenues;" And your committee cannot but congratulate the House, upon the unexampled prosperity of our financial condition, as demonstrated by the fact, that the requisite loans are obtained, at a higher premium than has ever been received by the similar operations of any state or country; and upon the immeasurable benefits, which are reasonably and confidently anticipated to result to the community, from the expenditure of large sums of money in public improvement. To counteract the deleterious effects of misapprehension, misrepresentation and error, upon a subject, though not generally understood, yet universally and personally interesting to every citizen of the state—to show that there is no foundation in fact, for apprehension and despondency, and to correct the errors afloat in reference to this subject—to corroborate the sentiments expressed by the fiscal department—to compare the resources of the commonwealth with the liabilities incurred, and thereby exhibit the solid foundation on which the public credit is based—and to justify the congratulations tendered, by demonstrating the truth of the position, that the *national wealth of Pennsylvania* has not been diminished, but on the contrary, has been increased and permanently secured, (provided the original design be consummated) by the expenditure, or, rather, by the *investment* of large sums of money; have been embraced in the purposes of your committee, on the present occasion. In what degree these purposes and intentions have been realized, is most respectfully submitted to the House, and to the country.

As the ordinary revenues of the state, independent of the additional supplies provided by the act of 1830, are more than sufficient to meet the ordinary expenses of the government, it is not deemed necessary by the committee, to consider the subject of finance, in any other point of view than, 1st, with reference to those measures, which have induced a resort to a system of loans, for the purpose of maintaining the character and dignity of the state in its national capacity, and of increasing the wealth and promoting the prosperity and happiness of its citizens in their individual capacities. And, secondly, in reference to those measures rendered

necessary to secure the payment of the interest on those loans.

Much difficulty has occurred in the science of political economy for the want of technical terms, and undisputed definitions. The term *wealth*, for instance, has been applied to states or nations, and has been understood by the great mass of mankind in the same sense in which it is used when applied to an individual, when no two things can be more distinct than the wealth of a nation and the wealth of an individual. He therefore who talks about national wealth without making the proper distinction, will just as certainly come to an erroneous conclusion as he who leaves out one term in a mathematical calculation. It has been perhaps unfortunate that the term *wealth* was ever applied to a nation, or that some other term had not been invented and appropriated to the idea, which we attach to the term, individual wealth. But as we have only one word for two distinct ideas; it becomes necessary to the correct understanding of a subject, requiring its use, to give clear and distinct definitions of its meaning, when used for different purposes. *Individual wealth is such an accumulation of property as will enable a man to procure the necessities and comforts of life without his own labour, mental or manual.* Every man thus situated is termed *wealthy*, while no man, who is *obliged* to cultivate his farm, superintend mercantile operations, or exercise his trade or profession whatever may be his ability to acquire property, can be so denominated. Individual wealth may consist of lands, money or other property; but in order to constitute wealth, it must be convertible into the necessities and comforts of life at the pleasure of the possessor. If a man has millions of acres of land, which he can neither sell nor rent; or if he is master of the mines of Mexico, and can neither loan his money nor exchange it for the necessities and comforts of life, he is absolutely destitute of wealth. So he may, by means of a profession or otherwise, possess the ability to acquire those necessities and comforts in the greatest profusion, yet if his income does not accumulate so as to enable him to receive them, by the use, sale or exchange of property, he is equally destitute of wealth. Thus we have a correct definition and perception of the term, as applied to an individual. In this sense of the term a nation, (considered as it should be, a unity, with a unity of rights, possessions and interests,) cannot possess wealth. No nation ever has accumulated, or ever can accumulate so much property, as would furnish it with the necessities and comforts of life, for a month, or a week, without industry. A nation cannot sustain existence, as such, without labor; it cannot rent or sell its territory without committing political suicide; and if it had mountains of gold and silver, the shipping of the world, constantly employed, could not import the necessities and comforts of life required, nor would the surplus productions of all other nations constitute the necessary supplies. It is evident, therefore, that a nation must sustain itself by its labor, its active industry, or it must cease to be. It cannot, for the shortest period of time, rely upon accumulated treasure; it cannot possess wealth, as that term is applied to an individual. What, then, is national wealth? *It is a capacity to acquire, by its own exertions, the necessities and comforts of life.* It is rather a faculty, than a possession. It does not depend on the greater or smaller amount of the precious metals, (the representatives of necessities) that may be deposited in a public treasury, nor does it depend on the accumulation of surplus productions, as that surplus can never bear any comparison with the wants of a nation or state; it may be affected in some degree by salubrity of climate and fertility of soil, but it cannot chiefly depend on these; or else why do we see Holland, (originally a cold and unproductive marsh,) overflowing with national wealth and prosperity, while Spain with the finest climate and most luxuriant soil, is poor, and weak, and wretched in a national point of

view? Why do we see New Hampshire with its long winters, its rugged climate and its sterile granite surface, enjoying a high degree of national wealth, while Georgia and the Carolinas are groaning under the pressure of national poverty and threatened bankruptcy, notwithstanding their advantages of climate and productiveness of soil? It is the difference in national industry, it is labor, the employment of the bone, the sinews, the faculties of man that has produced the difference of condition. What has multiplied the population, enhanced the value of land, increased the agricultural productions, doubled the necessities and comforts of life, and trebled national wealth and resources in the states of New York and Ohio, but the new impetus given; the active stimulant applied to national industry, by the loaning and expenditure of large sums of public money in the construction of valuable improvements? Thereby aiding and fostering individual enterprise.

National industry may be more materially affected by measures of government, and before we determine what effect any measure may have, in respect to national wealth, we must institute the inquiry, what will be its influence on national industry. The same measures may promote both individual and national wealth, but not necessarily. The encouragement of lotteries, of the manufacture and distribution of ardent spirits, or of a slave trade, may, usually does produce great individual wealth; while the consequences to national prosperity are deleterious in the extreme. This results from the paralyzing influence of these and similar pursuits on honest industry, the cultivation of the earth, and the development of its exhaustless treasures. The sentence has been pronounced, that "man shall eat his bread in the sweat of his brow," and if some individuals have escaped the penalty, *no nation can avoid the sentence.* The earth is the only fountain, labor, mental or manual, the only cause of national wealth; it does not depend on local situation, luxuriance of soil, the possession of capital, or surplus productions, as has been shown.

It follows then as a sequence, that whatever measures promote the industry, necessarily increase the national wealth of Pennsylvania. If she expends a million of dollars in public improvements, or otherwise, and thereby increases industry, to the amount of a million and a half, she is the gainer by half a million, notwithstanding the removal of the specie from her vaults. That active industry has been promoted and increased in this state, by an amount, which is represented by many millions of dollars, by the construction of our public works, no one will pretend to deny, as it must be admitted, that while the labor was being performed on those works, the creation of a home market perceptibly augmented the quantum of mechanical and agricultural industry, in the commonwealth. Thus it would appear that our works, even now while in an unfinished state, have actually increased the wealth of the state, notwithstanding the amount of debt. Even war, with all its desolating and lamentable consequences, may, and often does augment the wealth of a nation, by administering a powerful stimulant to industry, although the money expended perishes in the using, and leaves nought behind but the monuments of folly or ambition. The English wars furnish striking examples of this truth. Industry is promoted by the additional demand for labor, by calling into action the dormant energies of the nation, for every nation possesses a vast amount of unexpended labor, or in other words, a vast number of people who are idle a part or the whole of their time. But your committee are not the advocates of war for this purpose, being well aware that the nameless evils of a belligerent attitude greatly overbalance the benefits of increased industry, and national wealth. Not so with expenditures for public improvements; they possess all the advantages of a war expenditure, with none of its disadvantages; and hence there is not an instance on record of a public improvement

without the augmentation of national wealth, that is, an increased capacity to acquire the necessities and comforts of life.

Nothing can be clearer, than that independently of the labor of construction, and the incalculable amount of active industry created in the development and distribution of our mineral treasures, agricultural and mechanical labor has been increased, by an amount sufficient to produce the necessities of life, for so many laborers as have been actually employed on those works and in the coal trade. Because the necessities of life have not become scarce, and if they bear a higher price this is not attributable to scarcity, but to the increased facilities of sending them away, for foreign consumption. It therefore follows that there has been a greater production; consequently Pennsylvania has increased her national wealth. This better access to foreign markets will continue "in all time to come" to stimulate the farmer and mechanic, to extend cultivation and multiply productions, presenting new and strong motives to employ idle men and unexerted strength, in all places abundant. And the patriot luxuriates in the anticipation of the countless blessings to result from his philanthropic exertions. National wealth consists in the production, not in the accumulation of the necessities and comforts of life, as some writers have supposed—indeed the direct and palpable effect of accumulation, is to encourage idleness, paralyze industry and decrease a nation's wealth, always, and under all circumstances, depending on the amount of labor, compared with the number of persons to be sustained. National wealth is not necessarily affected by the existence of a national debt, which may indeed, cause the wealth to flow in a different channel, but cannot diminish its amount, unless it becomes so enormous, (as is the case with the English debt,) that the expenses of collecting the interest from one portion, and distributing it to another portion of the citizens, becomes oppressive to the people. In any other case, national wealth and prosperity, are no more affected by the existence of a national debt, than is the wealth of an individual, by withdrawing his funds from one bank, and depositing them in another. Your committee does not adopt the maxim that "a national debt is a national blessing;" the maxim is not true in the abstract. A national debt may be a great national curse, but it is not necessarily so. A government or nation, or state, is an artificial being, created for the benefit, and intended to concentrate the energies of the people. An agent or factor, the mere creature of an indefinite number of human beings, and bound to promote the interests of the principal, from whom it derives its existence. It might as well be contended that an individual can in no case promote his own interests, by a transaction necessarily incurring a debt, as that the agent of the people cannot, under any circumstances, advance the general interest of society, by measures resulting in a state debt. It is of no importance what amount of liability is incurred, by the corporate artificial agent, provided it promotes the prosperity and happiness of the people. Any debt contracted by a state, within the compass of its resources, and the proceeds judiciously expended in bettering the condition of the people, by creating domestic, and opening communications with foreign markets, and in stimulating national industry, is a national blessing; or more correctly speaking, *the concomitants of the debt are national blessings.* Such, in the opinion of the committee, is the state debt of Pennsylvania.

Some have been alarmed at the idea of "bequeathing to posterity an onerous public debt." This idea, as it is commonly received, is a mere chimera of the imagination. The thing is utterly, naturally impossible. The credit side, as well as the debit side of the account, must descend to a subsequent generation. The effect of a national debt, may be, to require one portion of posterity to pay a sum of money, or the interest of it, to another portion of posterity. If money is to be paid

by our descendants, an equal sum is to be received by them. If the money be by us expended, in permanent improvements, those of our descendants who may be required to pay, will have received a valuable consideration, and will therefore be indebted; and those who receive will be of the same generation, and will have inherited the boon from the same age which transmitted the liability to pay. Where, then, is the injustice complained of? There is not the slightest. To require future generations to pay to us, or for our use, is an impossibility. A nation is a unity, and the liability of one integral part, to pay to another, cannot, in the slightest degree, affect the wealth of that unity.

Your committee are anxious further to remove the prejudices that may, and undoubtedly do exist on the subject, by considering it in a strictly pecuniary point of view, and by presenting the public expenditures merely as an investment, isolated from all the benefits anticipated in reference to the character of the state, the effect on national industry, the enhanced value of real and personal property, and the increase of individual wealth. In doing so, however, your committee will take it for granted, that the original design of the fathers of our improvement system, is to be carried into effect; that the *waters of the Delaware and Lake Erie* are to be united. The "first impetus," it has been said, was given to the "splendid project" by the canal convention of 1825. But what gave the first impetus to the spirit of improvement in Pennsylvania? What roused the people on the subject? What induced their primary movements,—the election of delegates to assemble in convention! The notorious fact, palpably visible to the most superficial observer, that while public improvements were projected and being executed in New York, Ohio, Maryland, New Jersey, and many other states, it would be utterly impossible for Pennsylvania, (possessing as she did, wealth and resources beyond any state in the Union) to maintain her high character and "noble bearing," in the sisterhood of the states, if she longer neglected to join in the march of improvement. Penetrated with these views, and instructed by the people, with scarcely a dissenting voice, the delegates,—the sages of the commonwealth,—assembled in convention, at Harrisburg. In that convention, comprising, as is universally acknowledged, the collected wisdom of the commonwealth, was concocted the spirit of improvement which had agitated and moved the people—was digested and arranged, a system of improvement highly interesting to the state, and without which, she must have gradually sunk into obscurity and contempt; must have become, comparatively speaking, a dreary and a desolate waste, in the midst of rich, flourishing and happy republics. It was more a matter of necessity, than choice, that *urged* Pennsylvania into these measures. The convention of 1825 saw, with a prophetic vision, the proud monuments of a nation's glory,—the splendid improvements,—springing into being along our borders, to the north and the south, to the east and the west, the direct tendency of which, must be, to paralyze our national industry, to cramp our energies, to reduce the value of our lands, to prevent the settlement of our forests, to entice away our citizens, and in a measure, to depopulate our country; unless these injurious, these appalling results could be counteracted by corresponding improvements in the physical and political condition of Pennsylvania. It was not a spirit of envy, but of honorable and glorious competition, and a necessity of self-preservation, that actuated the convention in its examination of the premonitory symptoms of disease and decay in the body politic, and induced the search, the discovery, and the recommendation of the only antidote that could restore us to political health and vigour. That antidote to premature decay and national dotage, was nothing short of the construction of an *entire uninterrupted water communication* between the river Delaware and Lake Erie, "by the best and most feasible route." That

such was, in truth and in fact, the object designed by the original projectors and friends of the internal improvement system of Pennsylvania, your committee need not stop to demonstrate, other, than by a reference to the proceedings of the convention, to the responses of the people, to numerous acts of Assembly on your statute books, and to all the records and documentary evidence on the subject, in the legislative archives, and Pennsylvania library. This policy has been approved and sustained by successive Legislatures, coming fresh from the people, down to the present time—temporarily suspended, it is admitted, by sectional feelings and local prejudices, but in the main adhered to and cherished by the sovereign people. And especially too, when we reflect and are satisfied, that the motives and the necessity which now urge us on to the final completion of the works, originally designed, are stronger, and more imperative than those which first awakened our slumbering energies, and warned us of the dangerous consequences of continued inaction. When we reflect on the amount of treasure already expended, which must be accounted as measurably lost, if the improvements are to terminate with the present contracts, and the system to be abandoned; when it is recollected that such abandonment would *perpetuate* an onerous system of taxation on our citizens, without the hope of relief or mitigation; when we anticipate the deeper mortification we should feel at the taunts and sneers of our neighbors, after having abandoned our boasted system of rival improvements, than we should have experienced if we had never been roused from our lethargy. When it is remembered, that a few of the public spirited citizens of Philadelphia, have, within the last few years, expended more than eight millions in public works, and that the great state of Pennsylvania, possessing as she does, taxable property to the value of more than three hundred millions, cannot shrink from an expenditure treble the amount of that of one of her towns; that our improvements, when finished, are to extend to the remotest corners of the commonwealth, and to unlock the agricultural and mineral treasures of every portion of our territory; that the consumption and demand for mineral coal outrun the supply, and will continue to do so for half a century to come; that Pennsylvania must furnish that indispensable article of life to nearly all the states in the confederacy, and to the British dominions, on the north; that the coal beds of Pennsylvania, without the means of sending them to market, are valueless from their inexhaustible abundance; but if unlocked, by a wise and fearless policy, those black masses are convertible into gold and silver, and what is still better, the necessities and comforts of life, becoming in fact, bottomless reservoirs of individual wealth, and never failing fountains of national resources. That the investment of capital in canals is no longer a matter of experiment, that the experiment heretofore made, in the state of New York has been successful, even beyond the warmest hopes of its most sanguine friends, without the advantages, to any considerable extent, of mineral wealth, for freight, which Pennsylvania possesses in a pre-eminent degree. That the Erie canal, during the progress of its construction, encountered an opposition, more determined than has ever appeared in Pennsylvania in reference to her works, and that within three years after its completion, every note of censure was hushed, and every voice echoed the meed of applause accorded to the authors of that splendid monument of patriotic perseverance in well doing. That this improvement, the first year after it was finished, produced \$805,732 34 in the item of tolls, and in the sixth year, \$1,223,803, being an annual average increase of eleven and two-tenths per cent, furnishing the most incontestible evidence that a few years operations will not only refund the cost of construction, and extinguish the state debt, but pour into the treasury millions of revenue, to be applied to future improvement, either physical or mental;

a sum undoubtedly sufficient, if applied to the latter object, to educate every child in the state at the public expense. When, too, it is recollected that the infant state of Ohio, within the memory of the middle aged among us, a desolate and apparently an impenetrable wilderness, the silent and undisturbed abode of the wolf, the panther, and the red man of the forest, has, since the adoption of the policy of New York, doubled her population, trebled the value of her lands and agricultural productions, and quadrupled her national importance and political influence, treading, as she does, upon the heels of "the key stone state." When we recur to the Schuylkill navigation, an improvement located in a coal region, (and therefore a better test of the anticipated fruits of the Pennsylvania canals than the improvements in our sister states,) and contemplate the astonishing results of an investment there, of between two and three millions, the annual average increase of tolls being thirty-six per cent. and the stocks of the company steadily rising in the market, to *one hundred and four per cent. above the original par value*; when we call to mind the unexampled receipts on the Delaware division, during the short period of its operations, in consequence of its connection with the mining business of the Lehigh Coal company; when we examine the facts in relation to the Delaware and Hudson Canal Company, another improvement designed for the development of our mineral wealth, and find that it transmits *daily* six hundred tons of coal, *annually* distributing among our citizens six hundred thousand dollars, drawn from the bowels of a barren mountain; that the company is only prevented from distributing treble, nay, ten times that amount of the "necessaries and comforts of life," by a deficiency of water for its canal, and the limited capacity of a rail-road section, in its improvements; the company's stock eighteen or twenty per cent. above par, and still raising, with a fair prospect of rivaling the Schuylkill navigation company, in profits and prosperity. When your committee take into consideration the former exemption of the people from the burthens of direct taxation; that for thirty years previous to the late revenue acts, not a farthing had been required by the government; that when the general government made a requisition of more than three hundred and ten thousand dollars, the amount was promptly supplied from the state treasury, and the people were not required to refund it; that most of the states of the Union resort to direct taxation for the ordinary expenses of Government; that Pennsylvania has, on the contrary, from her ordinary revenue, borne all the expenses of state government, met the requisition of the United States, and appropriated more than half a million of dollars to roads, bridges, and other local improvements; that the taxes imposed by the acts of 1830, are little more than nominal—much less than the taxes of Ohio, or New York, or any other state engaged in a general system, for the improvement of its condition; that these impositions are but temporary, and for the purpose of sustaining a work of incalculable importance to the community; that our debt is in fact an *investment*, and not an expenditure, like most national debts, incurred in unnecessary wars and bloody crusades against the rights of man, and therefore that the moneys raised under our revenue laws, should be viewed in the light of trifling rent, or consideration, paid, for the use of a valuable improvement, and the expenses of collection only, should be set down to the account of *taxes* or burthens imposed on the people by way of temporary loan, to be repaired "an hundred fold;" and finally, when we perceive that the cautious, lynx-eyed capitalist, wherever found, whether domiciled in Europe or America, has the most unshaken confidence in the responsibility of the state, and the sound policy of its investments, as is evinced by the avidity with which our loans are sought, knowing, as he must, that the resources of Pennsylvania are unexhausted and inexhaustible, your committee presumes it will be jus-

tified in assuming, that the original design is to be carried on to completion—that the nuptials of the waters are to be consummated.

If we are not indeed mistaken in this conclusion, if our improvements are not to be pushed, beyond the ground already broken, if we have toiled so long, and expended so much, to recede and excite the scorn and ridicule of the adjoining states, to construct a *local* improvement; to accommodate a *neighborhood* business, if in truth, the *Pennsylvania* system is to be abandoned, then have we been engaged in a most unprofitable project; then, have we entailed *perpetual* taxation on ourselves for no adequate purposes, nor corresponding benefit; then, have we sold our birth-right, wasted our inheritance, with no redeeming security, against sore humiliation, and deep repentance. Then have all the exertions of our patriots, disappeared like the morning dew, and all the splendid prospects of Pennsylvania, vanished, "like the baseless fabric of a vision." In that event, this report will be found decidedly erroneous in many of its bearings. It has been calculated to a different meridian. The subject has been viewed in a different aspect. Notwithstanding the opposition raised, by the terrors of the weak, the apprehensions of the timid, and the machinations of the factious, your committee cannot adopt the opinion, that Pennsylvania, heretofore foremost in the march of improvement, will hesitate, falter, and finally retrograde, in a course of policy essential to the prosperity, the character, and the best interests of the commonwealth, and strongly engrafted on the affections of the people.

In estimating the debts due the commonwealth for lands, it is difficult to find any certain data, on which to found a calculation, and we have been obliged to adopt, what is believed to be a medium of all the former estimates. The revenues, derivable from that source, are rapidly diminishing, and it is feared, will shortly disappear, if indulgence be much longer extended to the holders of unpatented lands. And it would seem partial and unjust, further to extend indulgence to the wealthy sections of the state, where the lands have been enjoyed, from forty to eighty years, without the payment of the purchase money, the lands in the mean time, having greatly advanced in value. When by subsequent laws, the citizens of the newer and poorer counties, have been required to pay in advance, for their lands—especially as the citizens of the new counties, are now taxed, to supply that deficiency in the treasury, caused by withholding the purchase money of the lands, in the old and rich counties.

The estimated value of the public improvements, in the tabular statement A, may startle, at first view, but the committee indulge the hope, that when the tabular statements B and C, are examined, and the principles, upon which they have been formed, are subjected to the most rigid tests, the estimate will appear to be a safe one, resulting from fair comparison and arithmetical deduction.

The completion of the state improvements, would, it is believed, give such an additional impetus to national industry and active business as to render your turnpike stocks, after that event an available source of revenue, and increase rather than diminish the receipts from the roads. Such undoubtedly has been the effect of the construction of the Erie canal, parallel and near to the great leading turnpikes of the state of New York. Pennsylvania possesses abundance of mineral wealth, those crude and ponderous substances the best calculated to furnish employment for canals, while the state of New York possesses comparatively few, and the committee, for the purpose of satisfying the incredulous, and submitting a safe estimate, have discarded this advantage, together with the difference in extent of our canals over those of New York, as also the discouraging effects of the unusual ice flood of the last season, and have instituted a comparison in the tabular

statements B and C, founded on the actual operations and tolls of the improvements of the respective states.

It will be perceived, in those statements that the estimated tolls the first year after the completion of the Pennsylvania canals, are \$805,732 00, which sum is found by the following mathematical process. The aggregate amount of tolls actually received on the New York canals for the three first years in which tolls were charged, and while those canals were in an unfinished state, was \$93,896 11. The aggregate amount of tolls actually received on the Pennsylvania canals for the three first years in which tolls were charged and while those canals were in an unfinished state, was \$120,503 30. The amount of tolls actually received on the New York canals, the first year after they were finished, was \$750,759; thus we have three given terms to find a proportional fourth term, by a familiar arithmetical process. As the aggregate receipts of the three first years are to the amount in the first year after the New York canals were finished, so are the aggregate receipts of the first three years on the Pennsylvania canals to the amount that will be received the first year after those canals have been finished; which is the aforesaid sum of \$805,732; which sum is made the first term in the statements B and C; then adopting the average annual increase of the New York canals, and the eighth year's operation after the completion of the Pennsylvania canals, will produce \$1,608,386. A sum more than sufficient to meet the interest of thirty millions. The same legitimate comparison with the Schuylkill navigation, a coal region improvement, as exhibited in statement C, produces a result almost incredible, and yet we have not been able to detect any error in the principles which have led to the flattering conclusion.

By a reference to statement D, it will be perceived that the estimated balance in the treasury on the 31st day of October, 1833, amounts to \$487,791 29; this is upon the supposition that all the loans of the present session shall have been called in before that day. Should this not be the case, the balance will be less by the difference between the interest and the premium on that portion of the loans not called in. And should further indulgence be extended to the holders of unpatented lands, as proposed by a bill now pending for that purpose, it is feared that the condition of the treasury will be injuriously affected by the measure.

STATEMENT A.

Whole amount of the state debt, including the loans and subscriptions for Union Canal stock of the present session, to the 12th March, 1833.

Loans for canal and rail road purposes, \$18,405,661 88
Loans not pertaining to canals and rail roads, 1,840,000 00
Debts due to bridges, turnpikes, and miscellaneous objects, 229,966 76
Union Canal subscription, bearing an interest of $4\frac{1}{2}$ per cent, 200,000 000

\$20,675,627 64

Public property of the Commonwealth.

Bank stock, \$2,108,700 00
Turnpike stock, 2,060,100 00
Canal stock, 400,000 00
Bridge stock, 420,800 00
Due to the state for lands, (estimated) 2,000,000 00
Present value of the Pennsylvania canals and rail-roads, on the supposition that they are to be finished, agreeable to the original design, (estimated) 25,000,000 00

\$31,989,600 00

Deduct the public debt, 20,675,627 64

Property of the commonwealth, above the amount of the public debt, \$11,313,972 36

STATEMENT B.

Statement, showing the estimated increase of tolls on the Pennsylvania canals and rail-roads, for the first seven years after they shall have been completed, calculated from the actual operations of the New York canals, for six successive years, commencing with the year 1826, (the first year after they were finished,) and ending with the year 1831, both inclusive, the average annual increase being eleven and two tenths per centum.

New York canals.	Penn'a canals and rail-roads.
\$750,759	\$805,732 1st year after finished.
848,759	910,477 2d
897,265	962,374 3d
771,685	829,642 4th
1,059,922	1,111,720 5th
1,223,802	1,300,712 6th
	1,446,391 7th
	1,608,386 8th

STATEMENT C.

Table, showing the estimated increase of tolls on the Pennsylvania canals and rail roads, the first six years after they shall have been completed, calculated from the actual increase on the Schuylkill navigation, during the six successive years ending with the year 1832, the annual average increase being 36 per cent.

Schuylkill Nav'n.	Penn'a. Canals and Rail-roads.
\$43,108 77	\$805,732 1st year after finished.
58,149 74	1,095,793 2d
87,171 00	1,490,281 3d
120,039 00	2,026,782 4th
143,165 95	2,756,423 5th
134,005 92	3,748,745 6th
240,455 78	5,098,293 7th

STATEMENT D.

An estimate of the receipts and payments at the treasury, during the present fiscal year, ending on the 31st of October, 1833.

Receipts.	
Permanent loans,	\$3,668,680 00
Premium on do.	514,094 14
Lands and land office fees,	70,000 00
Auction commissions,	16,000 00
Auction duties,	120,000 00
Dividends on bank stock,	128,000 00
Dividends on canal, bridge and turnpike stock,	23,000 00
Tax on bank dividends,	43,000 00
Tax on offices,	12,000 00
Tavern licenses,	58,000 00
Retailers' licenses,	70,000 00
State maps,	300 00
Pamphlet laws,	80 00
Collateral inheritances,	65,000 00
Militia and exempt fines,	1,500 00
Canal tolls,	200,000 00
Tin and clock pedlars' licenses,	3,500 00
Escheats,	1,000 00
Tax on writs, &c.	20,000 00
Old debts and miscellaneous,	1,000 00
County rates and levies, 1832,	124,244 00
Tax on personal property, 1832,	38,261 00
Fees of the Secretary's office,	500 00
County rates and levies, 1833,	70,000 00
Tax on personal property, 1833,	11,000 00
Girard Bank bonus,	25,000 00
Western Bank of Philadelphia, do.	25,000 00
Manufacturers' and Mechanics' Bank of N. Liberties,	15,000 00
	\$5,320,139 14
Add the balance in the treasury on the 1st November, 1832,	117,167 16
	\$5,437,326 30

Payments.

Commissioners of the fund for canal and rail-road purposes,	\$3,138,680 00
Ordinary repairs on canals and rail-roads,	150,000 00
New works and improvements on old lines,	280,000 00
Damages by canals and rail-roads,	100,000 00
Interest on loans,	726,130 18
Turnpikes, roads, bridges, &c.	44,282 67
Expenses of government,	210,000 00
Militia expenses,	20,000 00
Court martial expenses,	500 00
Pensions and gratuities,	27,000 00
Education,	4,000 00
Penitentiary at Pittsburgh,	31,000 00
do. at Philadelphia,	69,045 00
Conveying convicts and fugitives,	2,000 00
Miscellaneous,	6,000 00
House of Refuge,	5,000 00
To refund canal treasury,	135,897 16
	<hr/>
	\$4,949,535 01

Receipts for the current year brought forward,	\$5,437,326 30
Deduct payments,	<hr/>
	4,949,535 01

Balance in the treasury 31st October, 1833, \$487,791 29

It only remains, to explain the reasons of the delay till the present time, of this report. It has heretofore been desirable, to have an early report from the committee of ways and means, that the Legislature might act with a full knowledge of the state of the finances. But since the passage of the act of the 16th March, 1832, "requiring the State Treasurer to make an annual report on the subject of finance," the reasons for an early report, from the committee, have ceased to operate. In pursuance of that act, the State Treasurer made a full report, on the 6th day of December last, giving an account of the fiscal operations of the government, more in detail, than could have been done, by the committee, at the commencement of the session. That report, however, did not anticipate the new liabilities, that might be incurred, during the present session. A report from the committee, not embracing the important acts of the Legislature, subsequent to the Treasurer's report, would have been an idle ceremony; as it would not have furnished any additional light on the subject. Since the passage of the act of March last, it is expedient to delay the report of the committee till near the close of the session, in order that the large appropriations of the current session may be taken into consideration. The committee have embraced in this report the liabilities incurred by the legislation of this session down to the 12th of March inst. together with one important bill, which has not yet passed, to wit, bill No. 297, as it passed the House of Representatives, authorizing the loan and appropriation of \$530,000. The probability is so strong of its passage in some shape, not materially varying from the said sum, that it was thought advisable to include it in the estimates.

INTERESTING LAW CASE.

In the District Court of the United States for the Eastern District of Pennsylvania.

The United States of America, v. A Box of Laces imported in the Ship Monongahela.

This case which was tried before Judge Hopkinson and a special jury, was founded on an information filed by the District Attorney of the United States, against a box of laces, which on examination by the revenue officers, was found to contain thirteen cards of quillings, not enumerated in the invoice, or stated at the time of entry.

The claimant did not deny or controvert the fact, but rested his defence on the ground that forfeiture only accrued where there was a design to defraud the revenue, that the additional articles had been put into the box of laces by accident or mistake, and not with any such intention, and he adduced evidence to sustain this allegation.

On the part of the United States it was contended that there was a manifest intention to defraud, and on this point evidence was also produced; but it was also contended, that if there had not been ground to believe in the fraudulent design, the box was liable to forfeiture under the positive provisions of the revenue law, and that a remission of the penalty must be obtained in the mode established thereby.

Judge Hopkinson charged the jury to the following effect:—

The information you are trying is founded on the 4th section of an act of Congress passed in May 1830. This section, after directing the manner in which the Collectors of the Customs shall cause the packages of imported goods to be opened and examined, goes on to enact, that "if any package shall be found to contain any article not described in the invoice, or if such package or invoice be made up with intent, by a false valuation, or extension, or otherwise, to evade and defraud the revenue, the same shall be forfeited." Two distinct acts are made the grounds of causes of forfeiture. 1. If a package contain any article not described in the invoice. 2. If the package or invoice has been made up with intent to evade or defraud the revenue. The information before you proceeds on the first, and charges that the package or box in question did contain certain articles not described in the invoice. This is the fact alleged in the information, and it is denied by the answer, and is thus before you for your decision upon it. It is a question of fact merely, apart from every consideration of intention, innocent or fraudulent. Did the package contain any article not described in the invoice, or did it not? Your verdict is to answer this question. The inquiry on the second ground of forfeiture is more difficult and complicated, for in that case the jury have to decide not only upon the truth of the fact charged, but also upon the intention with which the act was done, whether in innocence, by mistake, or with a design to defraud the revenue.

In this case there is no dispute about the fact. It is not, and it could not be denied, that the box of laces did contain articles not described in the invoice. The whole defence is put on the law of the case, which relieves you from the trouble and responsibility of deciding. It is a question which belongs to the Court, and I shall take it upon myself, on my own responsibility. The defence is, that, although the fourth section of the act of 1830 declares that forfeiture shall be incurred if the package contain any article not described in the invoice, yet that no such forfeiture is incurred, unless the articles so found in the package were put there with a fraudulent intent; and that if it happened by accident or mistake, it may be inquired into on this trial, it is to be decided by you, and the claimant will be entitled to your verdict if you shall be of that opinion. Is this the true meaning and construction of the law? In such a question we must first look to the law itself. Is that clear and explicit? Has it no ambiguity which requires that we should look further for an explanation? I can see no such ambiguity in the enactment in question. It is a direct, explicit declaration, that if any article shall be found in a package which was not inserted or described in the invoice of that package, the same, that is, the package it shall be forfeited. Not a word or intimation about the intention with which the surplus articles were put into the package; not a suggestion that an accident or mistake is to be a defence on the trial of a prosecution for the penalty, or is to be any part of the issue or inquiry on such trial. Indeed, the argument of the counsel of the claimant has taken another course

to bring him to this conclusion. His main reliance has been on the 67th section of the act of 1799, which he considers now to be in force, and to be incorporated with the provisions of the law of 1830. The section of the act of 1799 referred to, is, in many respects, different in the course of proceeding it directs, from the act of 1830; changes having been made from time to time as experience pointed them out. The 67th section of the act of 1799, made it lawful for the Collector, after entry of any goods, on *suspicion of fraud*, to open and examine any package; and "if the packages so examined shall be found to differ in their contents from the entry, then the goods contained in such packages, shall be forfeited." Here we see that the examination is to be made after the entry; that it is to be made only on a *suspicion of fraud*, and the difference which makes the forfeiture is to be between the entry and the contents of the package—nothing is said about the invoice. By the act of 1830, the Collector is directed absolutely, and whether he has or has not a suspicion of fraud, to cause one package out of every twenty of each invoice to be opened and examined—and if the package thus examined shall be found to contain an article not described in the invoice, it shall be forfeited. By the law of 1799, the Collector is authorized to open and examine a package only on a suspicion of fraud—this is the ground work of his proceeding; and the subsequent proviso of the law is consistent with the principle of the enactments; it is that the forfeiture shall not be incurred if it shall be made to appear to the satisfaction of the Collector, or of the Court in which a prosecution shall be had for the forfeiture, that such difference proceeded from accident or mistake, and not from an intention to defraud the revenue. The opening and examination of the package are to be made only when in the judgment and discretion of the Collector, there is good reason to suspect fraud; and it is consistent with this principle, that if he shall afterwards be satisfied that his suspicions were unfounded, and there was no intention to defraud the revenue, he should have the authority to declare this opinion, upon which the forfeiture should not be incurred. Now the argument for the present claimant is, that the *proviso* of the 67th section of the act of 1799 is still in force, although it is clear that the enacting clause has been superseded by subsequent laws, and that therefore, if on a seizure under the law of 1830, the Collector should be satisfied that there was no intention of fraud, when goods are found in a package not described in the invoice, the forfeiture would not be incurred—that the Court has the same power—and that the jury stands in the place of the Court in the exercise of this power, since it has been decided that seizures on land are to be tried by a jury. This process of reasoning, which is not a little complicated, would bring the question of intention before you in the determination of this cause.

It is alleged, therefore, that this provision has never been repealed, and this is the foundation of the argument I have stated. The act of 1799 continued to be the law of the land until 1818, when a supplement to it was passed introducing material changes in the whole revenue system. By the 22d section of the supplement, a change was made in the law on the subject of our present inquiry. The Collectors are directed, without any previous suspicion of fraud, to cause at least one package out of every invoice to be opened and examined. We stop here to ask if this positive order does not take from the Collector the discretion allowed him by the 67th section of the law of 1799, to examine a package or not, according as he should or should not entertain a suspicion of fraud, could he justify himself for neglecting to do so, by the allegation that he had no such suspicion? Yet there is no express repeal of this section, any more than of its proviso. We proceed with the act of 1818. After directing that the package shall be examined, it enacts, that if it shall be found not to correspond with the invoice, then a full inspection

shall be made of all goods included in the entry—"and if any package is found to contain an article not described in the invoice, the whole package shall be forfeited." It is further directed that "if the goods shall be subject to an *ad valorem* duty, the same proceeding shall be had, and the same penalties shall be incurred as are provided in the eleventh section of the act: provided that nothing herein contained, shall save from forfeiture any package having in it any article not described in the invoice." We are here referred to the 11th section of the act, and by that it is enacted, that, "when in the opinion of the collector there is just ground to suspect that the goods, subject to an *ad valorem* duty, have been invoiced below their true value, he shall direct them to be appraised, and if the appraised value shall exceed the invoice price, an addition is to be made to it on which the duties are to be estimated." To prevent any misunderstanding, to preserve the distinction between goods found in the package not mentioned in the invoice, and the undervaluation of them in the invoice, it is expressly provided that nothing in the act shall save from forfeiture, goods found and not described in the invoice. The whole clause or provision of the act of 1799, which releases the forfeiture, if the collector or the court shall be of opinion that the fraud was intended, is, omitted. But do we find no substitute for this provision—no power to discriminate between fraudulent and innocent cases of excess? There is no such omission; the power to discriminate between such cases, remains, although it is vested in another tribunal.

The 25th section enacts that "all penalties and forfeitures incurred by force of the act, may be mitigated or remitted, in the manner prescribed by the act, entitled, an act for mitigating or remitting the forfeitures, penalties, and liabilities, accruing in certain cases therein mentioned, passed on the 3d day of March, 1797." That act directs the party who has incurred the penalty of forfeiture, to present his petition to the Judge of the District, who is to inquire into the circumstances of the case; he is to state the facts, and transmit them to the Secretary of the Treasury, who shall have power to mitigate or remit the forfeiture, if in his opinion, the same shall have been incurred without wilful negligence, or any intention of fraud. It is to be observed that there never was a power of remission of a forfeiture, in the collector or the court. The provision of the law of 1799 was, that no forfeiture should be incurred in the case mentioned, if the collector should be of opinion that the difference between the entry and the contents of the package, proceeded from accident or mistake, and not from an intention to defraud the revenue. The law of 1818, also inflicts a forfeiture for such a difference; but does not re enact the condition on which the forfeiture shall not be incurred. The forfeiture is declared to be absolute and complete, on finding any article in the package not described in the invoice, and the circumstance of accident or mistake, which, in the former law, was referred to the judgment of the collector, and would release from the forfeiture, is, by the act of 1818, to be the ground of a petition for a remission, which is to be judged of by the Secretary of the Treasury. How can we suppose it was the intention of Congress, that there should be no forfeiture in cases of accident or mistake, and, at the same time, to refer several cases to the Treasury, for a remission of the forfeiture, at the discretion of the Secretary? Yet such must be the state of the law, if the provision of the 67th section of the act of 1799, is considered to be in force. The whole of the section is however, in fact, supplied by the act of 1818, and repealed so far as it is inconsistent with it.

Some stress was laid on that part of the 25th section of the act of 1818, which declares that the penalties and forfeitures incurred by the force of it, "shall be sued for, recovered, distributed, and accounted for, in the manner prescribed" by the act of 2d March, 1799. It has been argued, that this has reference to, and keeps alive the 67th section of that act. I see no rea-

son for this construction. The section of the law of 1799, referred to, is the 89th, which provides expressly for the recovery and distribution of the penalties incurred by any breach of it.

The next act on the subject, is that of 1st March, 1823, another supplement to the law of 1799. The 15th section of this act, among other things, declares that, "if any package be found to contain any article, not described in the invoice, the whole package shall be forfeited"—and then there is this proviso, "provided that the Secretary of the Treasury be, and he is hereby authorized to remit the forfeiture, if, in his opinion, the said article was put in by mistake, or without any intention to defraud the revenue." Here, then, is the whole case provided for—what shall constitute the offence—what the penalty or punishment shall be—and in what manner, and by what authority, a discrimination shall be made, between cases of fraud and cases of mistake. It is hardly possible to believe, that the same power was left in the Collector, under the law of 1799. The recovery and distribution of penalties and forfeiture, are to be made according to the act of 2d March, 1799; and to be mitigated or remitted, in the manner prescribed by the act of 3d March, 1797, already referred to.

We now come to the law of 1830, under which this prosecution has been instituted. It is entitled "an act for the more effectual collection of impost duties." I have already remarked upon the language of the section which embraces the charge laid in this information. There is nothing doubtful or ambiguous in it, and I have found nothing in any antecedent law, to affect the construction of this act, in the manner, or to the purpose contended for by the claimant. The 7th section of this act, also refers it to the Secretary of the Treasury, to remit any forfeiture, whenever he is of opinion that no fraud on the revenue was intended.

On the whole case then, the fact being admitted or proved to our satisfaction, that the box or packages of laces in question, did contain articles not described in the invoice, I have no doubt, that by the law, the whole package is forfeited, and that neither you nor I have any thing to do with the question, whether these articles got into the box by mistake, or accident, nor with the intention, fraudulent or innocent, with which they were put there. The law has given the decision of that question to another power in the government. It belongs not to you or to me.

The Jury found a *Verdict for the United States.*

Henry D. Gilpin, Esq. District Attorney, for the United States.

James M. Broom, Esq. for the Claimant.

From the Pennsylvania Reporter—Extra.

GOVERNOR'S OBJECTIONS

To the bill entitled "An act to incorporate the Farmers' and Manufacturers' Bank of Delaware County."

To the Senate and House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen,—I have examined and maturely considered bill No. 27, entitled "An act to incorporate the Farmers' and Manufacturers' Bank of Delaware county," and sincere as my desire is to concur with the General Assembly, in all their acts and measures not prohibited by the constitution, nor essentially inconsistent with the public interests, or which exhibit questions of expediency only; I am nevertheless constrained to withhold my assent from the bill in question, under a firm conviction, that if no immediate benefit shall result to the community in which we live, from my non-concurrence, I shall, at least, have the satisfaction to know, that I have done my endeavor to save that community from, what I conscientiously believe to be, an alarming and much to be dreaded evil now manifesting itself, in an excited but morbid spirit for banking and

its concomitant speculation, generally ending, as experience has heretofore taught us, in a state of depression, distress and ruin. I have therefore directed the Secretary of the Commonwealth to return the bill to the House of Representatives in which it originated, with the following reasons for my dissent.

First—The Bank of Delaware county, established at Chester, in that county, by the act of 1814, with a capital of two hundred thousand dollars, of which the sum of seventy-seven thousand five hundred and ten dollars, only, has been called for and paid in by the stockholders, is believed to be entirely adequate to the wants and necessities of the people, and to furnish all necessary accommodations for facilitating and giving a healthful and vigorous impulse to the prosecution of the various branches of industry in progress within the county. One hundred and twenty-two thousand four hundred and ninety dollars, of the capital stock of that bank, a sum considerably greater than the whole amount of capital of the bank proposed to be created by the bill under consideration, has never been required to be paid over by the stockholders. The very fact, therefore, that so small an amount of the capital of the existing bank has been called for by the directors, furnishes strong, if not conclusive evidence, that a greater amount of banking capital has not, hitherto, been considered necessary for the accommodation of the people of Delaware county, and that an additional bank is not needed, and would answer no useful purpose for *mere public accommodation*; especially as the Bank of Delaware county, by calling in the residue of its capital, may increase its discounts and extend its business beyond its present operations, to an extent far exceeding that which the bank contemplated by the bill in question, would, from its limited capital, be enabled to do.

Second—If the bank proposed to be established by the bill under consideration had stood alone, and entirely unconnected with the general press for the incorporation of similar institutions, from various parts of the state; manifest as it is that it cannot be required for any useful purpose, the passage of the bill might, perhaps, have been tolerated upon the ground of competition, or some other plausible pretext; but we cannot shut our eyes against the alarming fact, that this bill is but one of a batch of bills numbering, it is believed, not less than twenty-three, providing for the *incorporation of a like number of banks*, reported to the Legislature in the course of the present session; by which it is proposed to add to the existing banking capital within the commonwealth, the further sum of six millions nine hundred and fifty-five thousand dollars. It must be obvious to the plainest capacity, what a state of things such an addition to the number of banks and to the banking capital already in operation within the commonwealth, must necessarily produce. It does not appear that there is any want of banking capital, at present, in the state of Pennsylvania, (except perhaps in some of our manufacturing communities,) to discount all the good paper that is offered, or to afford any and every accommodation that prudence would justify, or our citizens could reasonably require; most, if not all, of the banks now in operation in this commonwealth, it is believed, are conducted upon correct principles, and based upon solid foundations as to capital, and it is believed to be a fact, that many of them would gladly extend their discounts, provided a safe business offered. Under such circumstances, should the proposed number of banks, or any considerable portion of them, be added to those already in existence, the inevitable consequence must be, that the new institutions must either remain altogether inoperative, or they must invite business; which latter would be most likely, as they would not be willing to remain passive spectators of the operations of their more prosperous and successful neighbors: Speculation, in all its destructive varieties, would thus be encouraged; a fictitious, unsound value would be given to property; excessive issues of banking pa-

per would inundate the country; a brief but forced show of prosperity would be produced; ending, as all such ephemeral excitements, founded upon speculation, based upon borrowed capital inevitably must end, in speedy depression, bankruptcy and ruin.

Third—The currency of the commonwealth is, in the present state of our banking institutions, considered by all as being entirely sound, uniting, in the language of the committee on banks, "*all the requisites of a perfect circulating medium*;" in that condition I feel desirous it should remain, and would therefore refrain from doing any act by which its healthful condition might be endangered, or its character for solidity and soundness in any manner tarnished or impaired. An increase of banks in situations where the business of the community is not of a character to require it, would lead to such results; and as the rage for such increase seems to be gaining strength in every part of the state, it seems to me that in order to preserve the state from return to a period of ruin and distress, such as it has but recently escaped from, it is best that the evil should be met and resisted in its inception, and the country saved from the disasters which a temporizing or yielding policy would be sure to entail upon it. These are my own views of this important subject, hastily thrown together. Should the General Assembly differ from me in opinion, and believe me to be in error, it is in the power of a constitutional majority to set the matter right.

I have also examined and considered the bill entitled, "An act to incorporate the Merchants' and Manufacturers' Bank of Pittsburg;" and believing that the city of Pittsburg does require an extension of its banking capital, to afford the facilities and aids necessary to a vigorous and prosperous prosecution of the various and extensive commercial and manufacturing enterprises in which its citizens are engaged, I have approved and signed the same, and directed the Secretary of the Commonwealth to return it to the House of Representatives in which it originated. GEO. WOLF.

Harrisburg, March 29, 1833.

Proceedings of the Senate in relation to the STATE LOAN.

Thursday, March 28, 1833.

Mr. Petriken offered the following:

Resolved, That a committee of five members be appointed, with power to send for persons and papers, to examine and report to the senate as soon as practicable, all the circumstances connected with the negotiation of the late loan of \$2,540,661, and whether the same has been done fairly and honestly according to the true intent and meaning of the act of assembly authorizing it, or whether there has been any fraud, connivance, or improper management connected with it, on the part of any officer of the government, and that the senate proceed forthwith to the election of said committee.

The resolution was adopted, and the following committee elected by senate.

Messrs. Miller, Petriken, Boyd, Ringland and Pack-
er.

On motion of Mr. Miller,

Messrs. Fullerton and Jackson were added.

Friday, March 29, 1833.

REPORT OF COMMITTEE.

Mr. Boyd, from the committee appointed to take into consideration the circumstances connected with the negotiation of the *State loan* of 2,540,661 dollars, and whether the same has been done fairly and honestly, according to the true intent and meaning of the act of Assembly, authorizing the loan; or whether there has been any fraud, connivance, or improper management connected with it, on the part of the officers of the Government, Report:

That immediately upon the appointment, the committee undertook to examine into a transaction at once delicate, and affecting the interests of individuals, as well as of the commonwealth; and from the investigation, the following appear to be the facts in relation to the late loan.

Under an authority of the present legislature, and by directions of the Governor, the Secretary of the Commonwealth issued proposal for loaning to the commonwealth the sum of 2,540,661 dollars 44 cents, at a rate of interest not exceeding five per cent. per annum, the principal to be reimbursable at any time after the 1st day of July, 1858. The bidding was required to be direct and explicit, specifying the rate of interest not exceeding five per cent., the amount of premium to be given, and no conditional or hypothetical bidding would be received or considered. The proposals were to be received until 4 o'clock, P. M. of Wednesday the 20th March, inst.

It appears from the evidence that has been brought before your committee; and upon the examination on oath of Samuel M'Kean, Secretary of the Commonwealth, that on the 20th March, at the time assigned, proposals of the following parties were opened and considered by the Governor, viz:

Elihu Chauncey for and in behalf of the Bank of Pennsylvania; offers to take the whole loan and pay 110 dollars for every 100 dollars.

Jesse R. Burden offers to take the loan at \$112.15.

Samuel Chew offers to take the loan at \$110.

The Governor having considered these propositions, did not think it for the interest of the commonwealth to accept either or any of them, and directed that the parties be notified of the rejection of their biddings.

The Governor directed written notices to be given to the parties who had made offers, and who were then at the seat of government, that he would extend the time, until the next day at 4 o'clock for receiving new proposals.

Accordingly at that time, Mr. Chauncey and Dr. Burden handed in sealed proposals to the Secretary of the Commonwealth in his office, and the Governor coming in shortly after, the proposals were handed to him, that on returning to the adjacent apartment for the purpose of examining the offers, it was found, that Dr. Burden offered to take the loan, agreeably to the terms specified in the proposals at \$113 51.

Elihu Chauncey, for the bank of Pennsylvania, offered 113 50.

Immediately after the opening of proposals, the parties who had made the offers were invited into the apartment with the Governor and Secretary, and the Governor declared, that the highest bid must have the loan, and accordingly awarded the same to Jesse R. Burden; which decision was received by Mr. Chauncey, the agent of the Bank of Pennsylvania, without any mark of dissatisfaction. On the contrary, from the testimony of the following respectable witnesses, who were examined touching this loan transaction, of and from the inspection of the original proposals transmitted by the Governor, the committee are induced to believe that every thing in relation thereto was conducted in a fair, honorable, and honest manner.

They draw this inference from the evidence of Mr. Buchler, Chief Clerk in the department of state; as well as from the testimony of Mr. Lesley, Cashier of the Branch Bank of Pennsylvania at Harrisburg; and Mr. John White, a director of the Bank of Pennsylvania, as well as of Mr. W. P. Ferrand, all of whom had conversation with Mr. Chauncey after the loan had been awarded to Dr. Burden. The three last mentioned gentlemen, under oath, have testified that Mr. Chauncey had expressed his entire conviction that there was nothing unfair in the negotiation of the loan, and your committee entirely concur in the opinion, that in the negotiating the loan of \$2,540,661, the transaction has been conducted fairly and honestly according to the

true intent and meaning of the act of Assembly, authorizing such loan, and that there has not been any fraud, connivance or improper management connected therewith, on the part of any officer of government; nor have the committee been able to discover any improper management or fraud, on the part of any person or persons offering to take said loan.

After some discussion the report was *unanimously* adopted.

Monday, March 18, 1833.

REPORT ON FISHERIES.

Mr. Gibbon from the committee to whom was referred sundry petitions upon the subject of the destruction and diminution of shad and other fish in the streams of this commonwealth; and also an act transmitted by the Governor of the state of New Jersey, entitled "an act to regulate the fisheries on the river Delaware," Report:

That from an examination of the statements made by the petitioners, and of individuals well acquainted with the habits of fish, and with the laws affecting the fisheries, the committee are of the opinion that the causes which produce a diminution of the quantities of shad and other fish which periodically frequent our waters, do not arise from the practice of fishing with gilling or drift nets, as some are inclined to believe; unless it may be, that in seasons, when from the heat of the weather in the early part of the summer, the fish deposit their spawn more promptly than usual, the present law, which permits the fishing to be continued till the 10th of June, may prevent so large a number from ascending the rivers, as would otherwise proceed to the head waters to propagate their kind. The great quantity of the supply, however, seldom allows this practice to be felt injuriously. The committee are not, therefore, prepared to recommend the adoption of the law sent by the Governor of New Jersey for the assent of this Legislature, because it provides for a *greater extension* of the season for taking fish, and also proposes to *contract* the period of rest in each week, which by existing laws, is now insisted upon.

The committee perceive a disposition in some of the owners of the land fisheries, as they are called, (that is of those who hold land on the banks of the Delaware, opposite to which there are pools frequented by fish,) to interfere with a privilege which is exercised, under certain restrictions by individuals who seek a livelihood during the fishing season, by taking shad in drift nets. The committee are of opinion that such fishing under the present arrangement, neither interferes with, nor injures the rights of property of any one; but it is advantageous both to individuals and to the public. They deem the fish, in the public highways of the state, the common bounty of the creator, and the common property of the citizens of the State. It has been alleged in remonstrances signed by a numerous list of respectable persons, who resist any alteration in the laws to regulate the fishing by drift nets, that "such fishing gives support to industrious individuals and their families, and is a considerable advantage and accommodation to inhabitants in the vicinity of the Delaware, who are thereby supplied during the season with fresh fish which are distributed in the different neighborhoods and villages in a few hours after they are taken, and sold at a reasonable rate."

The committee are even inclined to believe that the interests of the community would be advantaged by an act of the legislatures of the states of New Jersey and Pennsylvania which have concurrent jurisdiction of the waters of the Delaware, to offer *increased facilities* to the drift nets, having proper care to the just rights of the landholders on the banks of that river; and establishing more moderate fines or penalties for illegal interferences and unseasonable fishing, bearing equally on all persons offending.

The argument advanced by some of the petitioners, that the quantity of shad in the Delaware, has greatly diminished in consequence of the increase of gilling seines on the river appears correct, when we consider the great increase of the eaters of shad in that vicinity. But to make an enactment to prevent the use of drift nets, would give the *exclusive* right of fishing to the owners of the river banks, to which the committee do not consider them entitled.

The shad and herring fisheries in the Delaware, generally begin in the middle of March, if the season is early, and should cease, by the present law, on the first of June, below the mouth of the river Lehigh; and on the 10th of June above the mouth of that river. The fish advance in vast quantities from the sea, to search, by an unerring instinct, their necessary food, and to deposit their spawn in the upper branches of the stream. This process commences earlier or later, according to the warmth of the season. It is reported to the committee that in a genial spring, the spawn is deposited so early as the middle of June. The female fish select the eddies and coves, in which to leave the immense quantities of the minute germs of their progeny, which are eagerly devoured by rock and other fish, yet still the myriads which annually descend the rivers are countless.

A practice exists in the upper branches of the large rivers, against which the penalties of existing laws are sufficient, if they were effectually put into operation, for the public benefit. It is that of erecting fish baskets for catching rock fish in the summer and autumn of the year, when the young shad descend from their birth places to the sea, in quantities as vast as the dry leaves which are drifted by the winds. These fish baskets are connected with dams which jut out from the shores to the centre of the river—where a fall of one or two feet throws all the fish into a latticed apartment, through which the small shad cannot escape. Into these baskets thousands and millions of young shad from three to six and eight inches in length, are cast and die; for they are so tender in that stage of their existence, that the slightest blow or resistance causes their immediate death. Some of the representatives of the legislature have seen large quantities of these dead fish thrown out from the baskets; floating on the water or offending the senses on the shore.

The young shad according to the peculiarities of the season, are seen to descend the rivers from the month of August until the approach of cold weather in the fall—their wanderings during the winter are directed by their peculiar sensations, instigated greatly, no doubt, by their desire for, and the supplies of food. The next spring the full grown fish return to search for the place where they first respired, as is seen in well known instances to be the custom of many animals, birds, and fish.

After depositing their spawn, we are told that the female shad grow very thin—and sometimes become blind; they are seen upon the surface feebly exercising their powers until they reach the shore, or die on the water. It is the opinion of many, that the parent fish do not return to the sea—although the males are often found late in the autumn, fat and solid as in their full season.

It is considered a matter of importance, that proper attention should be given to the preservation of a fish of such delicacy, and so highly valued as the shad, which affords a healthful and timely variety of food to all classes of our citizens. We may also be benefited, in a manner seldom appreciated, by the purification of the water, in the destruction which they cause of a great multitude of insects, and of the excessive spawn of various reptiles, upon which they are said to feed, and but for their annual appearance might, by the disturbance given to the original plan of the Great Contriver, cause deleterious influences which should be guarded against by a due protection of the fish.

The committee think much more injury is done to the fisheries by the baskets and in other ways, which will be mentioned, than by the competition between the shore and drift nets, during the proper fishing season.

A petition from the inhabitants of the county of Northampton represents, that for some years past a number of persons have made it a common practice to use *cocculus indicus* or other "crazy bait," for fishing purposes by which means thousands of fish are destroyed in our rivers and creeks, and that the practice has increased to an alarming degree. Citizens of Somerset county, also state that companies go along the creeks in that county, when the waters are low, with sledges, and by striking on the large stones which afford a shelter for fish, kill them, when not one in twenty is of a size fit for use. That others haul out quantities of lime and throw several bushels in deep holes in the creeks in dry seasons—and by stirring it up, kill nearly all the fish that come down the stream when the mills above are put into operation, thereby destroying all prospect of a future supply.

The committee find laws already existing, which interdict such practices in particular sections of the state, and have thought it expedient to offer a bill, which shall have a general influence, providing against all the various means which may be resorted to, to destroy fish at improper seasons.

From the Washington Globe.

A VETERAN PENSIONER.

Among the applicants for pensions there is at present in the city, a venerable soldier from Chester county, Pennsylvania, who is in the 104th year of his age. His name is Andrew Wallace; he was born at Inverness, Scotland, on the 14th of March, 1730, and arrived in America in 1752. He retains a fine intelligent countenance, and the full possession of his faculties, although his body shakes continually with paralysis. It seems that this individual followed the profession of arms through life from predilection, but without the slightest ambition. Although always steady, temperate, and regular in the discharge of his duties, he never in the course of 29 years' service, rose above the grade of an Orderly Sergeant. Before he left Scotland, he was in the battle of Culloden, on the side of the Stewarts. Shortly after his arrival in America, he volunteered at Chester, and was appointed an Orderly Sergeant in Captain Hannun's company. This was at the commencement of the French war. The company afterwards became a part of the regular force under Colonel Dark, of Virginia, which belonged to the division of Braddock's army, commanded by Gen. Forbes. Mr. Wallace was not at the defeat of Braddock, as the command of Forbes was not in that action.

At the commencement of the Revolutionary War, Mr. Wallace immediately enlisted at Turk's Head, (now *West Chester*), in Church's company, 4th Pennsylvania Regiment, commanded by Col. Anthony Wayne—was appointed Sergeant, and served in that station to the end of the war. He was engaged in the bloody affair at the Three Rivers, when the attempt was made to burn the British vessels. He was engaged in the battle of the Iron Hills, under Col. Wayne, and in the battle of Brandywine, where he aided in carrying Gen. Lafayette off the field when wounded. On the night of the 20th of September, 1777, a detachment of British troops, under Gen. Grey, perpetrated a massacre on a small body of American troops—Wallace was in the conflict, and escaped destruction by taking refuge among a cluster of chestnut oak sprouts. He was at the battle of Germantown—the battle of Monmouth—and at last taken prisoner with Capt. Sealey and 18 others in New Jersey. After his exchange he acted as Sergeant in the forlorn hope in storming Stony Point. He afterwards marched to South Carolina, and was in the battles of the Cowpens, Eutaw and

Camden; and was at the closing scene of the war, at Yorktown.

In 1785 he again enlisted at New Brunswick, New Jersey, under Capt. Lane, and joined the Regiment under Col. Harmar, destined to chastise the Mohawks. These troops were discharged without seeing any service, and in 1786 Wallace again enlisted and continued in the army for three years, lying at the forts on the western waters.

In 1791, Mr. Wallace again enlisted at Philadelphia, in the company under Capt. Doyle, which afterwards formed part of the force commanded by Gen. St. Clair, against the Indians in the west. He was in the terrible slaughter called St. Clair's defeat, in which he was wounded in the right arm by a ball. His arm was so injured, that it has never since been straight. He nevertheless remained in the army and was in the battle fought by Wayne with the Indians in 1794. He afterwards served five years in the 3d U. S. Sub. Legion, under Capt. Pike, the father of the late Gen. Pike. When the legion was dissolved, he fell into the 2d Regiment in Capt. Schuyler's Company, and was at last marched to New Orleans in 1812, in the Regiment commanded by Col. Thomas Cushing, and was finally discharged in 1813, at the age of *eighty*, by Gen. Wade Hampton, on account of debility.

This respectable veteran, we understand, has vouchers from gentlemen of high character in Pennsylvania. He has been personally known, for many years, to Col. Isaac Wayne, the son of Gen. Wayne, under whom he served in the revolution and subsequently in the Indian War of the West. He is poor—has a wife and two children—the youngest 15 years of age; and the pension hitherto received by him from Government amounts only to *twenty-six cents per day*. If the law should deny him more, we trust the generous feelings of our city will not permit him to return to his home, oppressed by the expense of his journey, as well as a sense of the disappointment, to which it shall have conducted him.

FOREIGN CONSULS.

As frequent inquiries are made for the names and residence in this city of foreign Consuls,—we have taken some pains to procure the information sought, and give it below for the benefit of all concerned.

France—S. Dannery, Consul General, 188 Spruce st.
Great Britain—Gilbert Robertson, do. 4 Library st.
Spain—Chev. Bernabue, do. 42 Pine.
Hamburg—Chas. N. Buck, do. 30 Walnut.
Denmark—Stien Bille, Charge d'Affairs, Collonade Row.

Do. John Bohlen, Vice Consul, 67 South 4th.
Brazil—M. G. dos Reis, Consul General, 78 Walnut.
Do. John Vaughan, Vice Consul, 28 Walnut.
Sweden and Norway—Chev. S. Lorich, Consul General, 10th above Chesnut.

Do. John Vaughan, Vice Consul, 28 Walnut st.

Mexico—Estanislao Cuesta, do. 5 Union st.
Colombia.—W. W. Chew, do. 3d and Spruce.
Saxony—R. Ralston, jr. Consul General, 103 South Front.

Netherlands—Robt. Bohlen, Vice Consul, 67 South Fourth.

Bremen—H. F. Von Longerke, do. Front near Chesnut.

Prussia and Frankfort—A. Halbach, Consul General, Spruce above 12th.

Rome—Chas. Picot, Consul General, Washington Square.

Sardinia—A. Garibalde, Acting Consul General, 8th below Walnut st.

Sicily—Wm. Reed, Vice Consul, 64 Dock street.

Portugal—James Gowen, do. 69 South 3d.

Switzerland—Theodore Nicolet,

A Fire Insurance Company has been formed at Chambersburg, upon the following plan.

"That 2000 shares shall be offered for subscription, at 25 dollars each, and that the instalments shall not exceed two dollars each, to be called in every 60 or 90 days, as necessity shall require. This number of shares if they should all be called in, would form a capital of \$50,000, which there can hardly be a doubt would be quite sufficient to insure at least one half of all the property in the county from loss by fire. But the committee are of opinion that the whole of this capital will not be wanted, and that as soon as 5,000 dollars are called in, the company may safely proceed to take risks.

This plan it will readily be perceived, places it within the power of every property holder to become a stockholder, and would most likely enable him to draw as much interest on his stock, as the premium he would pay for insurance. This result may be stated in this way:—A man has a property worth 500 dollars, 250 dollars on which it may be deemed expedient to insure, at a premium it is supposed of not more than one half per cent. per annum—one-half per cent. on \$250 is \$1 25. Now suppose the dividends on the stock shall only reach six per cent. (which is very reasonable and may reach ten per cent.) then you have on 25 dollars (one share paid in) \$1 50, which leaves to the insurer 25 cents gain, besides having one half of his property insured. Who then is there, who would not be willing to take at least one share of this stock, if not more."

THE REGISTER.

PHILADELPHIA, APRIL 6, 1833.

The report of Mr. Read, chairman of the committee of Ways and Means, will be found an interesting document.

We publish this week the communication of the Secretary of State on the number of children educated at the public expense, in the different counties from which reports had been received. From this document it appears, that there was no report from Philadelphia county—which forms a most material item. We are enabled now to supply this information from the lately published report of the controllers, who state that there were educated in 1832,

<i>Children,</i>			
In Common Schools,	961	at an expense of	\$8,608 74
Lancasterian,	4797	do	21,343 29
Making for Philadel-			
phia county,	5758	do	\$29,952 03

By the table on page 212, it appears that the whole number of children returned by the assessors, or educated at public expense throughout the state,

<i>Children,</i>			
In Common Schools was	17,467	at exp. of	\$48,466 25
To which add the above,	961	do	8,608 74
Which will make,	18,428	do	\$57,074 99
By the accounts of Mifflin county, it appears that the schooling of poor children, (number not given) cost,			1,164 24
Making the total expense in Common Schools throughout the state,			\$58,239 23

In Lancasterian Schools of Philadelphia city and county, there were educated,

<i>Children,</i>			
	4797	at expense of	21,343 29
And per table page 212,			
in the other counties,	567	do	1,534 18

Total children in Lancasterian Schools,	5164	do	22,877 47
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We have then as far as ascertained—

<i>Children,</i>			
In Common Schools,	18,428	at exp. of	58,239 23
Lancasterian do	5164	do	22,877 47

Making a total of children returned by assessors or educated at public expense,	23,592	at exp. of	\$81,116 70
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It is to be regretted that the returns from the other counties did not specify what number of those returned by the assessors were educated—that some comparison of the expense of each child might have been made.

The Grand Jury of Bradford county have presented, as a serious public evil, "*the decline in value of the county orders*, in consequence of long delay of payment at the County Treasury, so that the current discount on them has recently been ten per cent. or more for cash;" while the jury state "that the prosperous state of this county, and the means placed in the hands of the County Commissioners, are entirely adequate to sustain the credit of the county orders at par."

The Susquehanna at Muncey had swollen by recent rains on the 19th March to 14 feet from low water mark. Some arks were sunk at the Muncey dam. Twenty-two arks and rafts passed that place on the 17th inst. Some of the ark men "fell to work and took out the guard gates of the canal, and then cut through the embankment, by which they were enabled to pass around the dam without danger to their floats." Two arks, laden with iron, sunk below the schute.—*Muncey paper.*

The Manual Labor Academy, Zelienople, under the care of the West Pennsylvania Lyceum was to open on the 1st inst. Principal, Rev. Henry H. Hays, late Chaplain in the U. S. Navy.

A vote in the House of Representatives was taken after receiving the Governor's objections, (which we this week insert,) to the Darby Bank Bill, which was as follows: yeas, 35; nays, 50.

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HAZARD'S REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

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GEOLOGICAL SURVEY OF THE STATE.

Report of a Committee of the House of Representatives, recommending an appropriation by the Legislature to make a Geological Survey of the State, under the direction of the Geological Society of Pennsylvania. Mr. Say, Chairman—Read March 23d, 1833.

The committee appointed on the memorial of Peter A. Browne, Report:

That the memorialist proposes to make a Topographical, Geological, and Mineralogical Survey of the State, to publish a complete series of Geological maps, profiles, and sections; and to form scientific collections, to be deposited in seminaries of learning, and other places, where they can best subserve the purposes of instruction and practical usefulness, in aid of which the state is asked to subscribe for one thousand copies of the maps or atlas, which will be divided into twenty-seven numbers each, at one dollar a number, amounting to the sum of twenty-seven thousand dollars; and he also proffers to place at the disposal of the Legislature a complete cabinet of specimens of all the rocks, fossils, and minerals that shall be found in Pennsylvania, while making the survey, and a scientific report of the same.

Your committee have examined the various petitions referred to them from several counties in the state, from the Cabinet of Natural Science of Lancaster; the Cabinet of Natural Science of Montgomery county; and the Geological Society of Pennsylvania.

Fully aware of the importance of the subject, which, if properly conducted, would bring to light many mineral, and metallic deposits; developing extensive sources of wealth; promoting public and individual prosperity, the benefits of the community, and the interests of science—your committee has given considerable attention to the object of their appointment; and believing a proper execution of the survey would require the industry, talents, and persevering exertions of various individuals, application was made to the Geological Society of Pennsylvania, (of which your memorialist is a very active and efficient member, and the corresponding secretary,) stating the belief that it would be inexpedient to place in the hands of any individual, the direction of a subject of so much importance, extensive and various duties, and inquiring whether the society would find it consonant with their views to undertake the direction and responsibility of the survey.

By a communication from a committee on the part of the Geological Society, herewith presented, it is gratifying to find the society is "willing to undertake the superintendence of the survey alluded to."

"That they will receive and assume the responsibility for the faithful application of any sum of money granted by the Legislature for the said survey."

They name, in addition to the objects proposed to be effected by the contemplated measure, to establish accurately three meridian or transit lines, extending entirely across the state, to be denominated the eastern, the middle, and the western meridians of the state, measured with the utmost care and precision, and permanently marked at intervals of a mile, or oftener, on suitable posts or stones, set for that purpose. Mea-

surements of the elevation above mean tide carefully marked, and the latitude of each line precisely determined by a series of astronomical observations. Also, another line traversing the state longitudinally, which would intersect nearly every variety of rocks which exists in our state, and afford important connexions with the primitive meridians.

Thus the state will be prepared for Geological and Mineralogical researches and observations, and permanent land marks will be fixed, rendering comparatively light and entirely certain, the duties of surveyors, and preventing a most fruitful source of litigation.

The progress of the investigation would be slow and laborious: There are many natural difficulties to be overcome in parts of the country, where the surface is obscured with a dense forest vegetation, untamed and untrodden by man; where neither artificial excavations, or natural sections, enable a free examination of the rock and soil. The mineral and fossil productions have, as yet, been but imperfectly ascertained; and there is no branch of science calculated to draw after it more important uses, than that which aims at obtaining a true knowledge of the soil and the treasures it contains:—"If knowledge is power, so also is wealth."

Few can doubt the propriety, nay, the necessity of Pennsylvania instituting the proposed survey. Minerals extensively used in the arts, and heretofore imported either from foreigners or from our sister states, will undoubtedly be discovered in abundance for our own consumption and for exportation.

It is the opinion of an eminent Geologist and Mineralogist,* whose character and opportunities of information render his statements high authority, that "limestone, iron, coal and manures support the greatest part of the canals in England."

It is but reasonable to believe that great advantage will be derived by developing the existence of those articles, which, by their transportation, will add to the resources of the commonwealth, in passing from one part to another, and bring into use tracts of country at present comparatively of little value.

Pennsylvania will not be the first state to undertake a full development of her internal resources: a younger sister, Tennessee has already commenced, and under the skillful and indefatigable researches and observations of Dr. G. Troost, a man well known for his geological acquirements, she has commenced an examination of her territory, and already have numerous errors been detected in the recorded opinions of those, who, upon slight observation or information, have given a description of the formation of that state.

Massachusetts, Tennessee and South Carolina have also provided for an accurate examination of their respective states.

The knowledge of our globe has enlisted the assiduous attentions and persevering researches of devotees for years, with great benefit and edification to mankind: May not Pennsylvania add her mite to the general stock? The last and present century has been marked by a great increase of information. At public and private expense, travels have been undertaken; mountains ascended, before considered inaccessible; their position, and their constituent parts investigated. Lakes and rivers

have been searched, and their locations marked; but still, though great progress has been made, human knowledge is much in the dark.

Pennsylvania possesses more mineral riches than any portion of our Union. There is every variety of formation—causing her geology to be peculiarly interesting;—a very extensive variety of minerals, also, present themselves in great abundance: Iron, the most valuable of all metals; copper, lead, zinc; coal, anthracite and bituminous; salt, clays, slate, and a variety of the best and most beautiful building materials. It is well known these all occur in their various assigned positions, and it is reasonable to conclude but a small portion of them have, as yet, been observed, either by the husbandman, the artist, or the scientific. To make these minute discoveries; to expose the hidden treasures which are so bountifully deposited and extensively distributed; give a general knowledge of the various formations—the Geological series—the Mineralogical varieties, by printed descriptions, public collections, and Geological maps, will unquestionably redound to the credit of the state, and richly repay any expenditure in its attainment.

Much benefit would be derived by the community, and credit to the engineer, who would, while running lines for canals, rail roads, &c. give even a slight scientific view of the country over which he passes. It is much to be wished that the General Government would establish at the National Academy a special department, for communicating such information, and qualifying the future defenders of the country to scientifically describe those regions they pass over, and for the defence of which they have devoted so much time and study. An expenditure for a thorough development of the natural productions, and the exploration of the soil, will conduce to the prosperity of the state, and be performing a duty, especially beneficial to every farmer in the country, and in which, every citizen, directly or indirectly, is interested. The value of lands will be advanced; the system of internal improvement much benefited; the agricultural and manufacturing interests essentially promoted, and the whole commonwealth greatly enriched.

It is an indisputable fact, that iron, coal, and salt, are, next to the primary articles of food and raiment, the most important and valuable productions of the earth. In Pennsylvania we have an abundant and most extensive supply, more so than any other state in the Union; and the examination in question will, in a great measure, reveal their local positions; exhibit the immensity of their value; and thus develop prominent sources of wealth to the state.

The benefits that will result in presenting new objects of industry, and the additions to the general stock of knowledge, by its skilful accomplishment, will be of lasting value. Judicious locations for manufactories will be designated by the abundance and convenience of their various requisites, these being absolutely necessary, and of primary importance to their ultimate success.

The eventual expense to the state, will be materially reduced by the sale of maps derived by a correct execution of the survey, and probably be sufficient to repay the whole cost. The great collections of Geological and Mineralogical specimens will be of permanent value, disclosing those metals, earths and combustibles indispensably necessary for use, in the various manufactures and arts, and furnishing books of study, as it were, for the inquiring mind to examine and become familiar with.

In recommending the Geological Society of Pennsylvania, which is a corporate body, as the proper medium for directing the executions of the plan suggested, the committee cannot forbear mentioning that the most judicious application of the funds for the prosecution of this great work, will be best secured by the very highly respectable and talented officers of the society, at the

head of whom stands the Chief Justice of the state, who is warmly interested in the faithful execution of the proposed undertaking.

A communication from the society to your committee, stating more fully some of their views, is herewith presented—also, a bill authorising an appropriation of five thousand dollars a year, for three years:

Philadelphia, January 20, 1833.

To Benjamin Say, Esq.

Sir,—In answer to your favour of the 7th instant, requesting to be informed “whether it would be consonant with the views of the Geological Society of Pennsylvania, to undertake the direction and responsibility of a Geological and Topographical survey of the state of Pennsylvania, and if so, the plan and terms on which they would expect the state to take part.”

The undersigned committee on the part of the Geological Society, beg leave to state, 1st, that the society are willing to undertake the superintendence of the survey alluded to.

2dly, They will receive and assume the responsibility for the faithful application of any sum of money granted by the legislature for the said survey.

3dly, As regards the *plan* of a survey—In addition to the views already embodied in their memorial, they offer the following outline for consideration.

In addition to the objects proposed to be effected by the contemplated Geological survey, one of the most important is the survey and establishment of three meridian or transit lines, extending entirely across the state, to be denominated the Eastern, the Middle, and the Western Meridians of the state. Their respective localities may be approximately fixed as follows, viz: The Eastern Meridian to commence at or near the north east corner of the state of Maryland, and thence proceed due north through Chester, Berks, Lehigh, Northampton, Luzerne and Susquehanna counties, passing near Coatesville, Birdsborough, Reading, Kutztown, Linville, Mauch Chunk, Stoddertsville, and Wilkesbarre, to the northern boundary of the state, near the Great Bend of the Susquehanna.

The Middle Meridian to commence near Hancock, and proceed thence through Bedford, Huntingdon, Centre, Clearfield, Lycoming, and Potter counties, crossing obliquely the following mountain ridges, viz: Town Raystown, Broad Top, Tuscarora, Brush, Bald Eagle, and Allegheny mountains, also extensive elevated table lands connected with the Allegheny range, and passing in the vicinity of Stonerstown, Williamsburg, Huntingdon, Alexandria, Birmingham, Phillipsburg, Kartlouse, Emporium, Coudersport, and Port Allegheny, to the north boundary of the state.

The Western Meridian to commence near the point where the Monongahela river is intersected by the south boundary of the state, and to proceed thence through Greene, Fayette, Washington, Allegheny, Butler, Venango, Crawford and Erie counties, to the shore of Lake Erie, passing near Greensburg, Newport, Greenfield, Brownsville, Bentleyville, Pittsburg, Butler, Franklin, Meadville, and Erie.

The manner in which it is proposed to run these Meridians is as follows:—Their true direction must be ascertained by means of a transit or other Astronomical instruments, in order that they may be located in exact coincidence with a true Meridian; the magnetic variation being too uncertain, and too liable to be influenced by local attraction to be depended upon as a guide in tracing such a meridian. The distances on each line should be measured with the utmost care and precision, and permanently marked at intervals of a mile, or oftener:—or, if deemed preferable, the latitude may be designated, in degrees and minutes, on suitable posts or stones set for that purpose, corresponding to each minute of the distance, beginning with the latitude, as determined by careful observation, at the commencement of each meridian. Each line should also be trac-

ed by a levelling instrument, and the elevation above mean tide carefully marked on stones, or benches prepared for that purpose, and set at every depression, or valley, and at every summit of a hill, ridge, or mountain, as they occur on the line.

The relative longitude of each line should also be determined with the utmost precision by means of a series of Astronomical observations made for that purpose.

The advantages expected to result from an establishment of lines of this description, are quite as numerous as they are important. Among them may be enumerated the facility of determining the true magnetic variation, at any time, by comparing the magnetic meridian with either of the meridians thus established.

The importance of this consideration will be duly appreciated by all who are conversant with the difficulties incident to the retracing of old surveys, which were made at a time when the magnetic variation was greater or less than when the retrace was made. And when the peculiarities of the magnetic needle, with respect to its annual variation, its diurnal variation, its local attraction, and its changes of variation for different meridians, are taken into consideration, the importance of fixed meridians, as bases of reference for surveys, becomes the more striking.

These meridians, when viewed in connexion with the future operations of the state in furtherance of internal improvements, are worthy of particular attention. The survey and location of routes either for canals or rail-roads, may readily be referred to, and connected with some point on one of the meridians whereby its altitude above tide, and its relative altitude when compared with other points more or less remote, may be easily and correctly inferred.

Moreover, the latitude and longitude of places or points intermediate to the fixed meridians, or in the vicinity of either of them, may be ascertained with sufficient precision by tracing a line from some established point in the meridian to the place whose latitude and longitude are required.

The most important of the meridians above proposed, the survey of which should be first undertaken, is that denominated the *Middle Meridian*. This meridian will traverse some of the most elevated ridges by which the state is intersected, and will lead throughout a portion of the state, the mineral resources of which are believed to be immensely valuable, although they have as yet been very imperfectly developed. The aspect of the country over which it will pass is probably more variegated than that of any other portion. Commencing in the valley of the Potomac, it passes thence into the basin of the Susquehanna, and thence into the region drained by the Allegheny river, one of the main tributaries of the Ohio.

In addition to the meridians just mentioned, a line traversing the state longitudinally, should be run; such a line, viewed in reference to *Geological* investigations, is, if possible, of more importance than any other: it would intersect in its course nearly every variety of rocks which exist in our state, and would afford important connexions with the primitive Meridians. The importance of such a line will be rendered more apparent by a few brief remarks upon its transit over the state. Commencing on the right bank of the Delaware, near Holmesburg, it would pass, in its course near the villages of Holmesburg and Germantown, in approaching the latter place the line will have attained an elevation, by an almost imperceptible ascent, of nearly 300 feet. Leaving Germantown it would again descend into the valley of the Wissahickon creek, which, geologically considered, deserves especial notice; still progressing westward, the line would descend to nearly the level of tide water on reaching the Schuylkill near Manayunk; crossing the Schuylkill at Manayunk and pursuing its westward course through an exceedingly rugged country, the line enters the valley of Mill creek, ascending the dividing ridge which separates the waters of Schuyl-

kill from those of Darby creek, it would enter the towns of Lower Merriion, Radnor, Trydyffron, &c.

Thus far the line will have extended about 20 miles from its point of outset on the Delaware. This region, though exceedingly interesting in itself, is perhaps less promising in regard to Geological riches than that upon which the proposed line is now about to enter. From Radnor the line would pass into the valley of Chester, leaving Paoli and Downingtown to the left, and thence crossing the large branches of Brandywine creek, would enter the eastern confines of Lancaster county at the base of Mine ridge, and ascend the south-west spur of Welch mountain, a distance, by horizontal measurement, of 52 miles from the point of departure. The Susquehanna would be crossed by the proposed line, which pursuing its way over Lancaster county, and through or near the village of Intercourse, and city of Lancaster, and thence into York and Cumberland counties, by Columbia, Liverpool, Rosstown, and Shippensburg, the line would enter into what may with strict propriety be denominated the mountain region of Pennsylvania. Now commences that gradual elevation of surface which ultimately attains a mean altitude of 2500 feet above tide water. At Shippensburg the line will have extended about 135 miles from the Delaware. The structure of this section of the state requires a more minute description than has yet been devoted to it. Five miles west of Shippensburg, after crossing the southern spur of Shade mountain, the Little Aughwick creek is intersected, thence to the summit of Sideling hill, is six miles, thence to the Great Broad Top mountain, (where the line will intersect the central meridian,) seven miles. Two miles further, by a precipitous course, the Raystown branch of the Juniata is passed, and thence to the great Allegheny mountain or main ridge of the system, twenty-three miles; passing in its progress Tussey's, Dunning, and Chesnut mountains. Descending into the valley of the Kiskiminetas, the line will pursue its course westward through Somerset, Westmoreland, Fayette, and Washington counties, and passing near to or through the town of Stoystown, Perryopolis, Greenfield, and several others, will terminate on the western boundary of the state near the town of West Alexandria.

The state thus intersected will be properly prepared for more detailed operations, which by judicious measures of this sort in the commencement, the entire geological survey would be reduced to the most simple principles, and the whole conducted in a manner conducive to satisfactory results. The importance of bases, or check lines; with which it is proposed to commence the contemplated survey, will be readily understood by those who are familiar with the errors which abound in our state map, in common with all others constructed without regard for that unity of action on the part of the local land surveyors, which is indispensable, and which cannot be attained unless guided and restrained by standard lines, such as those just mentioned; by the aid of such lines, by which the magnetic variation may be readily inferred for any point in their vicinity, the duties of the surveyor would be rendered comparatively light, and the survey carried on either immediately or at any future period, as the legislature might see occasion. The intersecting lines, however, as they must form the basis of all future operations, should be entered on immediately, and thus establish those land marks, the absence of which has hitherto tended to vitiate our local surveys, and to create for individuals a fruitful source of litigation for years to come.

In conclusion, the committee beg leave at state that it is not, in their opinion, necessary at present, to enter into detailed observations relative to the Geological riches of regions as yet unexplored, but at the same time, it is well known that *almost every variety of metalliferous rocks*, which in Europe have yielded for centuries such immense revenues, do exist in the state of Pennsylvania.

Gentlemen of the highest scientific reputation, and possessing the confidence of the Geological society, and the public esteem, have offered their services for the performance of the contemplated survey under the direction of the society.

Signed,

JOHN B. GIBSON,
RICHARD HARLAN,
HENRY S. TANNER,
Committee.

An act providing for a Geological survey of the state.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That if the Geological society of Pennsylvania, shall, within 60 days after the passage of this act, engage, by writing, under their corporate seal, to take upon themselves the duty of causing to be accurately located and designated at least three meridian lines, crossing this state, and one other line at right angles therewith, extending through the state, and shall in like manner engage to conduct a Geological and Topographical survey of the state, and to furnish for the use of the state copies of the map, profiles and sections of such survey: in such case the Governor be and he is hereby directed to draw his warrant on the State Treasurer in favor of the president, vice president, and secretary of the said society, for such sums of money, not exceeding \$15,000 in all, and not exceeding \$5,000 in any one year, as he shall judge proper, to be expended by the said society for the purposes aforesaid: Provided, however, That the manner of making such location and survey shall be first submitted to the Governor, and by him approved.

REPORT OF THE CONTROLLERS OF THE PUBLIC SCHOOLS.

Fifteenth annual report of the Controllers of the Public Schools for the city and county of Philadelphia, composing the First School District of the State of Pennsylvania, with their accounts.

In obedience to the provisions of the Act of Assembly, the Controllers of the Public Schools, for the city and county of Philadelphia, submit the following "statement of the amount of expenditure, and of the number of children educated in the public schools."

Certified returns from the respective sections, exhibit an aggregate of *four thousand seven hundred and ninety-seven pupils* now belonging to the Lancasterian Schools of the First School District of Pennsylvania; of these, two thousand five hundred and sixty-seven are boys, and two thousand two hundred and thirty are girls, apportioned amongst the following schools, viz:

	Boys.	Girls.	Total.
Model School,	208	68	276
Model Infant School,	32	33	65
<i>First Section.</i>			
Locust Street,	242	196	438
North-Western,	120	113	233
South-Western,	111	77	188
Lombard Street, (colored)	147	237	384
<i>Second Section.</i>			
Northern Liberties,	464	349	813
Do. (colored)	62	60	122
<i>Third Section.</i>			
Southwark,	411	315	726
<i>Fourth Section.</i>			
Penn Township,	299	239	538
<i>Fifth Section.</i>			
Moyamensing,	175	219	394
<i>Tenth Section.</i>			
Kensington,	216	264	480
Franklin Street,	80	60	140
Total,	2567	2230	4797

The directors of the several sections of the county where no Lancasterian Schools exist, have, during the same period, placed in the common schools most convenient to the dwellings of the parents, *nine hundred and sixty-one children*, making, with those before mentioned, a total of *FIVE THOUSAND SEVEN HUNDRED AND FIFTY-EIGHT PUPILS*, who have been instructed at the public expense, since the commencement of the last year. Reference to the former reports of this Board will thus show, that since the passing of the law of March 3, 1818, upwards of forty-five thousand children have been admitted to these schools, and every facility for acquiring the useful and practical parts of a good education liberally imparted to them.

The ordinary expenditure of the Board, as was anticipated in the last report, has been greatly augmented in this year, by the purchase of ground and the erection of three substantial and convenient brick school houses—one on Race street, west of Broad, in the First Section, another on Master street, near Second, in the Tenth Section, (Kensington,) and the third in the Ninth (Moyamensing) Section. The wants of these sections, and the increasing demand of their population for ample school accommodations, have appeared to the Controllers a sufficient warrant for the appropriation of funds to these structures, the location, extent and excellence of which will enable the Directors of these several sections to extend their sphere of usefulness by furnishing seats for numerous additional pupils, who were, of necessity, debarred admission into the former schools—whilst the value of the Real Estate thus acquired to the county, must always remain equal to, or greater than its original cost.

The annexed accounts duly audited and reported by the proper officers, show that during the past year, the Board has drawn orders upon the County Treasurer for the sum of fifty-three thousand and forty-two dollars and ten cents, of which sum Real Estate is charged with twenty-two thousand seven hundred and twenty-three dollars and seventy-six cents, School Furniture, three hundred and sixty-six dollars and thirty-one cents, Lancasterian Schools, twenty-one thousand three hundred and forty-three dollars, twenty-nine cents, and Schools not on Lancasterian System, eight thousand six hundred and eight dollars and seventy-four cents.

It is not expected that an equal expenditure will be required in the ensuing year, although a proper provision for the eastern part of the First Section, already too long delayed, will require the erection of another School house in that quarter. At present no public school exists on the whole Delaware front of the city east of Sixth street, and the children of that densely peopled portion of the District are excluded from a share in the advantages of the system, or compelled to seek admission into very distant schools, already sufficiently filled with those of their immediate vicinity. Arrangements are now made by the Directors of that section, under authority granted by the Controllers, to remedy this evil without delay.

The plan of instruction for children under five years of age, accepted by the Board during the last winter, has been subjected to experiment, by the establishment of an Infant Model School, upon a moderate scale in the School house in Chester street, under the care of a highly competent female teacher, aided by the occasional superintendence of the benevolent and accomplished author of the System. This school was instantly filled, and numerous applicants unavoidably denied admission for the present. The brief time which has elapsed since the commencement of this experiment does not enable the Controllers to decide conclusively upon the merits of the course of instruction, nor have they any reason, thus far, to doubt its ultimate success. The question of connecting a series of infant schools with the existing Lancasterian establishment, will receive from the Board the full and mature consideration which its important consequences require.

In the transactions of the past year, the Controllers have great satisfaction in recurring to the temporary appropriation of their spacious, well ventilated buildings, to the accommodation and relief of the sick, whilst an appalling pestilence was sweeping over our land and threatening desolation to our cities. The wishes of their fellow-citizens on this subject were promptly met by the Board, and the permission to occupy these houses during the summer vacation for sanitary purposes, it is admitted, afforded the most important relief, at a period of great alarm and embarrassment to the different authorities charged with the guardianship of the public health.

Upon the whole, the Controllers are warranted in renewed congratulations to their fellow-citizens on the successful prosecution of this excellent system of Public Education. In all its departments, the zeal and fidelity of those engaged, continue to promise the happiest results. All that appears to be wanting to the entire development of the plan, and to a general diffusion of Education, and pure morality amongst the children of the First School District, is the active and energetic co-operation of the citizens at large in guiding the proper beneficiaries of this bounty to the fullest participation in its advantages. To the various benevolent and charitable institutions of the District, and to every philanthropic individual of the community, anxious to meliorate the condition of his fellow-creatures, the Controllers appeal for aid in forwarding this noble work, trusting that the united efforts of the good and the wise, under the blessing of Divine Providence, cannot fail to attain the desired object.

On behalf of the Controllers.

THOMAS DUNLAP, President.

Attest,

CHARLES PETTIT, Secretary.

Chamber of the Controllers, }
February 11, 1833. }

Note.—In consequence of the crowded state of the male school in Southwark, an additional school has been authorised for that section and is already filled with pupils.

To the Honourable Judges of the Court of Common Pleas.

The Auditors of the county of Philadelphia, appointed under the act of Assembly, passed the 3d day of March, 1818, "to provide for the education of children at the public expense within the city and county of Philadelphia," to examine and settle the accounts of the Controllers and Directors of the Public Schools within the said district, respectfully state,

That they have carefully examined the said accounts and compared them with the vouchers produced in support thereof, and submit the following statement showing a detailed account of the receipts and expenditures.

No. I.

GENERAL STATEMENT.

The Auditors of the county report, that there was a balance in favour of the Controllers and Directors of Public Schools, in the hands of the Treasurer of the county of Philadelphia, on the first day of January, 1832, amounting to \$20,243 90

And that during the year 1832, the Treasurer received and credited the School Fund for balance of an appropriation of 25 per cent. on county rates, and levies assessed in 1831, amounting to \$19,114 30

And on account of an appropriation of 20 per cent. on balance of county rates and levies, assessed in 1832, after deduct-

ing the amount of State Tax, 1832, for receipt, in part

19,068 08
38,182 38

Total amount of funds for 1832,

\$58,426 28

That the orders drawn on the County Treasurer during the year 1832, by Controllers, have amounted to That orders drawn on the Treasurer by former Controllers, and paid by him in 1832, amount to

53,042 10

117 80

And there was a balance in the Treasurer's hands on the 31st December, 1832, of

5,266 38

\$58,426 28

No. II.

The Auditors of the County further report, that on account of the amount orders drawn on Treasurer, 1832, the Schools on the Lancasterian System stand charged with

\$44,433 66

And Schools not on Lancasterian System, but under the superintendence of Controllers

8,608 74

\$53,042 10

Which amount was appropriated as follows, viz:—

First—Details of Expenditures for Schools on the Lancasterian System.

Dec 31, 1832.	Real Estate.	School Furniture.	School Expenses.	Total.
For account of Model School,		155 08	1,893 47	2,048 55
Do. First Section,	7,586 03	109 76	6,424 91	14,120 70
Do. Second do.		16 80	2,353 79	2,370 59
Do. Third do.	381 95	51 58	1,897 16	2,330 69
Do. Fourth do.	296 84	33 09	1,873 01	2,202 94
Do. Ninth do.	5,305 60		2,082 80	7,388 40

Do. General expenses:

To Controllers' Sections, and of the Model and Sectional Schools, for Books, Paper and other Stationary, Printing and Advertising, Maps, Premiums for Infant Schools, Stone Coal, Salary, &c. County Auditors, and other incidental expenses,

3,506 97 3,506 97

For account of Tenth Section,

9,153 34 1,311 18 10,464 52

Totals for Lancasterian Schools,

22,723 76 366 31 21,343 29 44,433 36

Second—Details of expenditures for Schools not on the Lancasterian System.

Second Section—Outer district thereof,	414 88	414 88
Fourth Section, do. do.	787 68	787 68
Fifth, } By an act of Assembly of	1,277 81	1,277 81
Sixth, } April 1, 1831, placed under	2,433 48	2,433 48
Seventh, } superintendence of Con-	1,807 53	1,807 53
Eighth, } trollers,	652 84	652 84
Tenth Section—Outer district,	1,234 52	1,234 52

\$8,608 74

WM. PEIRSOL,
JAS. F. M'ELROY,
JESSE Y. CASTOR,

Auditors of the County.

Attest—PETER A. GROTJAN, Clerk,
Philadelphia, Feb. 27, 1833.

CONTROLLERS OF THE PUBLIC SCHOOLS FOR 1833.

President, 1. THOMAS DUNLAP,

- | | |
|-------------------------|-------------------------|
| 2. T. G. Hollingsworth, | 8. Jonathan Thomas, |
| 3. John Steele, | 9. Joseph Bockius, |
| 4. Henry Zollickoffer, | 10. Evan W. Thomas, jr. |
| 5. Joseph Warner, | 11. Alexander Parker, |
| 6. John Oakford, | 12. Charles Norris. |

7. Edward B. Garrigues,
Secretary—CHARLES PETTIT.

SITUATION OF THE PUBLIC SCHOOL HOUSES.

MODEL SCHOOL.—Chester street, between Eighth and Ninth and Race and Vine streets.

Teachers.—John L. Rees, Anna Bird.

MODEL INFANT SCHOOL.—Chester street, same building.

Teacher.—A. M. Williams.

LOCUST STREET.—Corner of Locust and Twelfth streets.

Teachers.—William S. Cleavenger, Eliza R. Eastburn.

NORTH-WESTERN (in City).—Corner of Schuylkill Seventh and Race streets.

Teachers.—Hiram Ayres, Martha C. Hallowell.

SOUTH-WESTERN (in City).—Spruce street, near Rittenhouse Square.

Teachers.—Samuel J. Withey, Eliza Bateman.

NORTHERN LIBERTIES.—Third, near Brown street.

Teachers.—John M. Coleman, Frances R. Eastburn.

FRANKLIN STREET.—East of Fourth street.

Teacher.—Louisa Bedford.

SOUTHWARK.—Catharine street, between Third and Fourth streets.

Teachers.—Samuel F. Watson, Eliza M'Leod.

MOTAMENSING.—West Passyunk Road.

Teachers.—Peter M'Gown, Ann Dolby.

PENN TOWNSHIP.—Buttonwood street, near Eleventh.

Teachers.—B. E. Chamberlain, Julia A. Byrne.

KENSINGTON.—Marlborough street.

Teachers.—Henry W. Chadwick, Elizabeth W. Beechy.

LOMBARD STREET.—For coloured children, Lombard street, near Sixth.

Teachers.—James M. Bird, Maria C. Hutton.

APPLE STREET.—For coloured children; Northern Liberties.

Teacher.—William Sherman.

REPORT ON RAIL-ROADS.

Report of the select committee appointed on the 18th February last, to inquire into and report a system of management of the Philadelphia and Columbia, and Allegheny Portage Railroads, by Mr. M'Culloh. Read in the House of Representatives, March 25, 1833.

That having given the subject the best consideration in their power, and obtained such information from the canal commissioners, and Mr. Moncure Robinson, an engineer of great experience in railroads, and high professional talent and skill, as the limited period for inquiry would admit, they have come to the following conclusions, viz:

1st. That with a view to either the public interest or convenience, or to the interests of the commonwealth, the preservation of the roads, or the facilities of transportation upon them, it would be highly inexpedient to make them public highways.

2d. That there ought to be but one mode of transportation on the Philadelphia and Columbia road, and the committee are well satisfied that the best, cheapest and speediest plan is by locomotive engines and cars. The committee would state, as an additional inducement to the adoption of this plan now, that they are informed by the canal commissioners that the road can be

finished, with a single view to transportation by locomotives, at an expense of \$85,000 less than for horse power.

3d. That it will be necessary to have the whole road and the transportation on it under one system of regulations, and therefore the whole must be managed by an officer or officers appointed by the state, or

4th. That it should be leased to an individual or company for a term of years, on such terms as to transportation, management, repairs, &c. and for such rent or division of profits, or compensation to the commonwealth, as may be deemed reasonable by the canal commissioners and the Governor. The committee are clearly of opinion that the last plan would be the best, if proper terms can be had. It is probable that, for the few first years, it may be difficult to estimate the product of the road, and therefore the committee have limited the first lease to five years, at the expiration of which time the Pennsylvania canals will be in operation, and the course of trade settled, so that the amount fairly demandable for the use of the roads could be more justly ascertained. At that period, it is probable, that leasing the roads for longer terms will be found most advantageous. In support of their opinion on this subject the committee would remark, that on this plan it would be unnecessary for the commonwealth to become the purchaser and owner of a large number of locomotive engines, cars, and their appurtenances, at a very large expense; and that also for the commonwealth to become a common carrier, and employ the necessary officers and agents to conduct the concern, the committee think would be unwise and probably very unprofitable. It will however be proper that the commonwealth should erect and own all the buildings and permanent establishments, such as warehouses, stations, &c. which may be necessary at the terminations or along the lines of the roads.

The committee beg leave to report a bill making provision for carrying into effect the foregoing suggestions. In regard to the Allegheny Portage rail-road, it is supposed that locomotives may be most advantageously used on the long levels, but that on the short ones horse power may be most expedient, and therefore in the bill discretionary power is given to the canal commissioners on that road. The subject, referred to the committee, was considered with great care and much attention by their estimable chairman, Mr. Keating, who had undertaken to make a detailed report of all the facts, and information received by the committee, which operated to produce the results at which they arrived, but his indisposition, which they all sincerely regret, has disappointed their expectations and wishes, and rendered it necessary that a report should be made, although very limited and imperfect, and that the measure, deemed very essential to the interests of the commonwealth, should be adopted without delay.

The committee submit with this report the communication received from Mr. M. Robinson, on the subject referred to them, which will supply most of the facts and reasoning on which their conclusions are founded.

WILLIAM H. KEATING, Esq.

Chairman of the Select Committee.

SIR—I have received your letter of yesterday, and with pleasure presents the following reply to the questions proposed by the committee.

The first inquiry is, "on roads of the length and undulating character of the Philadelphia and Columbia rail road, or connecting two lines of canal like the Allegheny Portage rail-road, what are the relative advantages of the transportation by horse power, or by locomotive engines?"

When the profile of a rail-road is undulating, unless its grades, or ascents and descents are very short, the useful effect of a horse is materially impaired. In other words, although in descents the force exerted by him may be but trifling, he cannot in consequence draw a

proportionably large load on ascents. With locomotive power, the diminution in useful effect is by no means in a corresponding ratio, and provided the graduation of a rail-road be not at any point too steep to admit of an engine urging on its load by the adhesion of its wheels, a large proportion of what would be its useful effect on a level, may be had. The engine on ascents travelling at a slower rate under an increased stress; on levels or on descents exerting any disposable force in attaining a higher speed.

When a line of rail road is not only undulating, but a long one, the superiority of locomotive power becomes more decided. The loss of time and waste of steam in starting and stopping, becomes relatively of less moment, and the saving in time by the superior velocity which locomotives enable us to attain, becomes more important. In the case of the Columbia and Philadelphia rail-road, for example, four days would probably be required, with horse power, for the transportation of merchandise and produce between Columbia and Philadelphia. With locomotive power, the trips may be made with entire ease and safety, in six hours, including stoppages. Supposing the cost of transportation to be the same with either power, a large accommodation would be afforded to the public, in the greatly increased speed of transportation. Persons coming to Columbia with their produce, would have it in their power to travel with it to Philadelphia and to attend personally to its disposition, without any sacrifice of time; and to the community generally, facilities in intercourse and travel, and in the transportation of the mail, would be afforded, which can scarcely be appreciated until they have been realized.

There is no peculiar reason for using locomotive power on rail-roads connecting lines of canal, except that the trade on such lines is, from many causes, more irregular and uncertain than on continuous rail-roads, and that the use of locomotive power so far as the profile of the rail-road may justify its introduction, enables us to provide an extra power to meet any exigencies of the trade; without incurring any further expense, when the engines may be employed, than the interest on their cost.

The next inquiry of the committee is, "would it, in your opinion, be practicable, by a rigid enforcement of by-laws and regulations, to make either of those roads, (connected, as they are, with the lines of canals,) valuable as a public highway to the state, and to the districts of country which they are intended to accommodate."

In reply, I would observe, that I do not think it can often be advisable to make any rail-road, however short, a public highway; because a company possessing an exclusive privilege of transportation, and bound to transport whatever may be offered it, may accommodate any given amount of trade, with a smaller disbursement for power, whether that power be locomotives or horses, and a smaller investment in cars and carriages, than would be required to ensure the same amount of accommodation to the public, if transportation be effected by common carriers or individuals. A few considerations will suffice to make this apparent. Suppose the business of transportation placed in the hands of a company, the whole amount of trade on a rail-road ascertained, and the maximum transportation, required in a given period, known. A sufficient amount of power, and an adequate number of cars and carriages may be procured, and no more. The necessary shops being erected, and skilful workmen provided for repairs, these last are effected economically, promptly and properly. Presuming the capital invested to be diminished, and the power employed, the number of persons occupied, and the expenditure incurred for repairs to be lessened, the cost of transportation may obviously be reduced; and a company, although bound to transport, without the least delay, every thing which may be offered it on a rail-road, may afford to do so at a lower rate than individuals possibly can.

If, however, locomotive power be looked to on the Philadelphia and Columbia rail-road, (and the reasons in its favor appear, from what has been said, to be decisive,) it seems to follow, necessarily, that the rail-road cannot be a public highway. Setting aside the difficulties, and, I might add, the impracticability of adopting such a police, and enforcing such by-laws and regulations as would in that case be necessary—other considerations lead to the conclusion that, even were it practicable, there would be no advantage in transportation by locomotives on a public highway.

To make use of locomotives on a line of rail-road, it is necessary that an adequate number of engines should be provided, to guard against danger of delay from accidents or other causes; that warehouses, depots, engine sheds, and water stations should be erected; that there should be shops with competent workmen, at different points on the line of rail-road, to effect repairs without delay, and to keep the engines, cars, and other vehicles used on it in the most perfect order. It is evident that no individual would be willing to make the permanent disbursements necessary to effect transportation advantageously with this description of a power, on a rail-road entirely open; that if attempted at all, it would necessarily be also a charge to the producer or owner, which would not be necessary under such a system as would afford to an individual or a company, a guarantee of a regular and permanent business, correspondent to the outlay which would be necessary to accommodate it effectually.

Different, but not less forcible reasons, make it, in my opinion, very advisable to leave it to private competition to provide the means of transportation on the Allegheny Portage. These reasons are given in some detail in a report which I had the honor to make to the board of canal commissioners in December, 1829,* and to which I beg leave to refer the committee. It is true, that on the portage, the same advantage can scarcely be expected from the use of locomotive power, as on the Philadelphia and Columbia rail-road; but on the other hand, if the views taken in that report be correct, a large diminution may be made in the amount of stationary and locomotive power, and in the number of horses, which would be requisite, and an accommodation be given to an irregular trade; which could not be effected by leaving it open to the principle of private competition.

A view was taken in the report referred to, which it may be proper to express in more detail, this is, "that should transportation on the proposed rail-roads be effected by agents or responsible lessees of the commonwealth, the objections which have been made to the Pennsylvania line of communication as presenting in its portage dangers of delay and uncertainty, may be in a great measure avoided."

Should the rail-roads in question be public highways, it is not believed that any competition would insure an adequate amount of power, and a sufficient number of cars for transportation to avoid delay during those seasons of the year when the trade on the canals would be most active; and if it were otherwise, as there could be no obligation on any particular carrier to transport what might be offered him, it would be necessary for an owner sending produce or merchandize by the canal, to accompany it or to engage the services of an agent on whom he could depend, at the point of transhipment, to forward it. It would be otherwise under either of the arrangements which have been suggested; it would be only necessary in either case to consign it to the care of the transporting agent at Columbia, or at either of the points of termination of the Allegheny Portage, as the case might be, and the articles consigned would, as a matter of course, be forwarded without delay or risk, to the proper address.

The perfect facility and certainty which may be given

* See Vol. V. p. 99.

to the largest business under the arrangement proposed, may be judged of from the accommodation afforded by the Manchester and Liverpool rail-road. On that rail-road a trade and travel, so far unexampled, and certainly beyond what may be anticipated for many years on any line of rail-road in this country, are accommodated daily without the least delay, interruption or embarrassment, on two tracks of rails, and the line (to use the expression of the board of directors,) appears ordinarily "almost a desert." Indeed, under proper regulations, there appears to be no limit to the business which a double track of rail-road, under proper regulations, can accommodate. In this respect the most capacious canal cannot compare with it, because the capability of this last is necessarily limited by the number of boats which can be passed through its lock of greatest lift in a given time. It is not however hazardous too much to say, that, with trade very inconceivable in comparison with the present trade of the Manchester and Liverpool rail-road, the most serious embarrassment might be anticipated on a rail-road, on which transportation should be effected by individuals.

The third inquiry of the committee is, "would you recommend that the commonwealth by its officers should become the transporter, or that the improvements should be leased for a term of years to a company that should be bound to transport at certain specified rates of toll and transportation?"

I should think the latter plan the more advisable. I can entertain no doubt that, after a very short period, an estimate, sufficiently accurate of the amount of trade on each of the two rail-roads, might be made, to admit of an arrangement between the commonwealth and a transporting company, which would be fair and equitable; and if certain rates of toll and transportation were fixed on by the proper authority, that proposals would be made by a sufficient number of responsible individuals, or associations, for the privilege of transportation, to insure a fair compensation to the commonwealth for the use of its rail-roads, and the most complete accommodation to the public. It would be desirable that as much time as possible should be afforded to responsible individuals or associations, who might be disposed to submit proposals, to make the necessary inquiry and investigations, and to enable the agents of the commonwealth to act advisedly in any arrangement which might be entered into. No delay in the use of the rail-roads, as soon as any considerable portion of either of them was in readiness, need result from this cause. The officers of the commonwealth might proceed to procure the necessary locomotive engines, cars, and carriages, and to make all other arrangements, in the same manner as if the commonwealth were to be the transporter. If arrangement was made with a transporting company, the engines and cars, if of suitable construction, would be received of the commonwealth without loss. If no disposition was made of the rail-roads, the agents of the commonwealth would then be prepared to effect the transportation of passengers and merchandize, at the earliest moment after the roads, or any productive portions of them, were in readiness.

The fourth inquiry of the committee is: In the event of a lease to a transporting company, "what would be necessary on the part of the commonwealth beyond the completion of the rail-roads, and what precautions should be taken to insure their preservation?"

This inquiry has been in part answered in what has before been said. In order to accommodate the trade on two important lines of rail-road, constructed by the commonwealth, extensive ware houses would be necessary at the points of termination of the Philadelphia and Columbia, and Allegheny portage rail-roads, and probably others of smaller size at many points on the line of the former. Workshops, for the purpose of repairing both engines and cars; and water stations and engine sheds, would be necessary on each line. An adequate provision in these respects might be made by

the commonwealth in the first instance, with a view to more extensive arrangements as the trade might require them.

In order to insure the preservation of the rail-roads, it might be made the duty of the transporting company on each road to keep the line of rail-road in good order, with permission to make such extensions, in the way of turn-outs, turning platforms, warehouses, and repairing shops, as experience might show to be necessary. Or an officer of the commonwealth might be kept on each rail-road, for the purpose of making such repairs and extensions.

In the former case a company would, of course, expect any necessary disbursements for repairs of the rail-road, or extensions, to be an offset in the payment of its annual dues. It would therefore be proper for the commonwealth to guard against unnecessary or injudicious expenditure, by providing that no claim for repairs or extensions should be paid, unless the expenditure were made on the authority of some engineer of standing, and except on his certificate that the same had been judiciously made; or the disbursements made by a company might be submitted annually to such an engineer, and subjected to any deductions which he might deem reasonable.

I believe, sir, that I have now replied to the different queries of the committee. I fear I may not have explained my views as clearly as I would have wished; I must plead as my apology for the hasty manner in which they are presented, the necessity of leaving Harrisburg to-morrow morning, and the little time consequently at my disposal. Such as they are, they are with great pleasure submitted, and I shall be gratified if they should prove of use to the committee in the investigation they are making.

I have the honor to be,

Very respectfully,

Your obedient servant,

M. ROBINSON.

Harrisburg, Feb. 21st, 1833.

The following account of the Firemen's Procession is made up from that which was given chiefly in Poulson's American Daily Advertiser—adding thereto, occasionally, facts from the United States Gazette; and in some instances, preferring the statement of the one to that of the other. Some corrections have been made in both according to the suggestions of writers in the newspapers. We presume it is as nearly correct as it can be made. It was to us the most gratifying procession we have ever witnessed.

THIRTEENTH ANNIVERSARY OF

THE FIRE ASSOCIATION OF PHILADELPHIA.

MARCH 27, 1833.

By previous arrangement, most of the Engine and Hose Companies composing the *Fire Association of Philadelphia*, celebrated their anniversary by a magnificent procession of their Members and Apparatus, through the principal streets of the City and Liberties; and in the evening by a Grand Ball at the Hall of the Musical Fund Society.

It may not be improper in this place to give a slight sketch of this association, composed of such a respectable and efficient class of our citizens. It was incorporated on the 27th of March, 1820, and consists of twenty-eight Engine and seventeen Hose Companies, associated for the purposes of preserving and protecting the property of the citizens from fire, as well by their united personal exertions, as by means of an extensive Insurance Company. Although commenced with no other capital than the credit necessarily attached to such a combination, and the pledge of their apparatus,

confidence in the association was very soon established and they now number on their books more than *four thousand five hundred* permanent insurances, at rates as low as those of any other incorporation, and they are undoubtedly established on a permanent foundation, fortified by an accumulating capital.

At present the Corporations of the City and Liberties pay annually to Fire Companies about nine thousand dollars, for the purpose of keeping their apparatus in repair, &c. This tax on the public, which they cheerfully pay, it is the design of the Fire Association to obviate—so soon as a sufficient permanent fund is accumulated from the profits of insurance, this tax will be removed, and the interests and profits are to be appropriated to paying their own expenses.

This then is a most laudable institution, which should receive the countenance and support of every individual in the community—that it is extremely popular is no more than just. With this brief explanation, which was due to the firemen, who might unjustly be charged with a wish for display and vain glorious parade, we proceed to the operations of the day, which have afforded an excellent opportunity to appreciate the strength and importance of this noble institution.

A few companies did not participate in the parade—whether from motives which have not transpired, or with a laudable desire to be on duty in case of an alarm, we have not learned.

Before nine o'clock the various companies were on the ground at the corner of Broad and Arch streets, where they formed in the order of the respective dates of their associations, and took up the following line of march, under the

CHIEF MARSHAL,
Jacob B. Lancaster.
AIDS.

ASSISTANT MARSHALS.

For the City—Samuel Overn, William W. Weeks, Robert E. Nuttle, and J. J. McCaben.

Northern Liberties—John M. Campbell, and Peter Parker.

Southwark—Thomas D. Grover.
Kensington—John W. Fernon.
Spring Garden—Randolph W. Evans.

Down Arch to Second, up Second to Green, down Green to Front, up Front to Brown, down Brown to the High Bridge, up Beach to Maiden, up Maiden to Second, up Second to the forks of the Germantown Road, down Third to Green, up Green to Fifth, down Fifth to Callowhill, up Callowhill to Ninth, down Ninth to Race, up Race to Thirteenth, down Thirteenth to Chesnut, down Chesnut to Tenth, down Tenth to Walnut, down Walnut to Eighth, down Eighth to Spruce, down Spruce to Fifth, down Fifth to Catharine, down Catharine to Third, down Third to Christian, down Christian to Second, up Second to South, along the East side of Second to Pine, up Pine to Third, up Third to Chesnut, up Chesnut to Ninth, down Ninth to Locust, down Locust to the Musical Fund Hall, where the banners were left for the use of the managers of the fireman's ball.

The procession was preceded by three trumpeters and three buglers, playing merrily on their instruments. They were followed by

TWO PIONEERS.

Then came the old

1. **HIBERNIA**—Drawn by four horses, and driven by a man in buff clothes. The Hibernia Engine Company being the oldest fire institution now in existence in the city, was consequently entitled to the front of the line. The equipments consisted of a fire hat, cape, and drab fire coat—the former painted green, with an eagle and gilt harp, (the emblem of the company) and the word

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"HIBERNIA," in gold letters, on a scarlet scroll, in front—on the back "H. F. C." On the capes the initials of the Fire Association. The Hibernia was instituted Jan. 20, 1752. On the present occasion, 25 members walked in procession, having hold of the ropes.

2. **PHILADELPHIA HOSE**—Drawn by four superb black horses. The Hose Carriage is particularly elegant, and though light, strong, and effective. On the front is painted in superb style, the story of Nestor and Tydides, with a great number of distinct figures. In the rear, a huge River God, and a view of Fair Mount Water Works—motto, "Non sibi sed omnibus." Instituted December 15, 1803—twenty members turned out in honor of the anniversary.

They wore black dresses, black hats and capes, trimmed with gold and devices in gilt. The banner was black.

3. **NORTHERN LIBERTY ENGINE, No 1.** May 1, 1756—A standard bearer and his aids carried a broad blue banner, highly decorated.

The dress of the members was black hats edged with red, black capes, with the devices in red.

The engine was followed by a neat and handsome Tender and Hose.

It was drawn by four bays, and made a fine appearance—45 member present.

4. **GOOD INTENT HOSE.** March 8, 1804.—Preceded by axemen, and a rich black Banner borne and supported by members of the company, had for inscription, "*Washington our guide and monitor.*"

The dresses black capes and hats, edged with gold, with motto and devices in gilt.

The hose was drawn by four handsome grey horses. The driver dressed in white, with a turban, and appropriate costume—28 members present.

5. **VIGILANT ENGINE**—Preceded by the axemen; carriage drawn by four sorrel horses, and ornamented with emblematic flags, with driver and post-boys in fancy dress; the gallery otherwise decorated; in the rear the bucket in place. The engine is one of the first class, and most approved model. Instituted Jan. 2, 1760.—50 members present.

The dress of this company was green capes and green hats, with gilt letters and devices, drab coat and red pantaloons.

6. **RESOLUTION HOSE.** April 11, 1804.—Three Marshalls on horse back.

The Banner bore a device of a globe on a fire plug supporting the American Eagle.

Dresses white, edged and trimmed with red, cape and hat white, with red ball printed behind.

Twenty-eight members drew their own carriage. Motto, "To be useful is our wish."

7. **DELAWARE ENGINE.** March 21, 1761—Drawn by four spanking bays, riders in mariner's dress, and preceded by flags and banners, on the front and back panels of the gallery, an eagle bearing a red scroll with the name of the company inscribed in gilt letters; engine of the first class; the members equipped with their fire hats, capes and coats, and the directors as in other cases with their speaking trumpets. Twenty-five members out.

Marshalls on horse back.

Dress, black cape and black hats, edged with gold, with devices in gilt.

8. **HUMANE HOSE.** April 5, 1805.—The Banner decorated, bearing a fire plug for a device.

The dress of the members, drab coat, black capes and hats, with gilt letters; white pantaloons. Twenty-nine members present.

9. **HAND IN HAND ENGINE.** March 29, 1764.

The Banner bore for a device the American Eagle—Motto, "The day we celebrate."

Dresses of members, blue frock coat and white pantaloons.

Engine drawn by four fine horses in yellow trappings, and rode by two boys in rich costume. Thirty-two members in procession.

10. **PERSEVERANCE HOSE**—Drawn by two grey horses, in rich caparisons. Banner blue, with a representation of beaver's huts, &c. emblematical of perseverance. Dressed in firemen's costume, with red capes, and blue hats. Motto, "*Perseverantia omnia vincit.*" Instituted May, 1805. 33 members out.

11. **HARMONY ENGINE**—Preceded by a Marshall fully equipped, and three axemen, followed by the tender. Carriage drawn by two grays, mounted by boys in white turbans and Turkish costume. Instituted "August 18, 1784." 49 members were present.

Dress of members, black hats and capes, with gilt points and letters.

12. **NEPTUNE HOSE**—Motto, "To save our fellow citizens, we hazard ourselves." This Company made an excellent appearance, and showed considerable strength of numbers, 58 members manning the ropes. Instituted 1805.

Dress of the members, was plain black cape over the fireman's coat, and black hats, with gilt devices and letters.

13. **RELiance ENGINE**. In front two Marshals, the carriage drawn by four bay horses led by blacks, in white Turkish dress, and a black driver. The dress of the members red, with black capes covered with red and gold. A splendid blue flag. Instituted May 10, 1786.

14. **HOPE HOSE**. Preceded by an effective band of martial music, every member of which belonged to the hose company. The hats elegantly painted, representing the figure of Hope on a blue ground, resting her left arm on an anchor, her right extended to heaven. The carriage is a fine specimen of the best modern improvements, combining elegance and strength. This Company is very numerous. On the present occasion 72 members paraded, dressed in their imposing costume of drab and blue. Instituted August 17, 1805.

15. **ASSISTANCE ENGINE**. Preceded by a small model engine, borne aloft, and two axemen, motto, "our hearts are towards our citizens," incorporated 1789; drawn by four horses, the driver in small-clothes; 35 members present. The original emblem of this company is a heart with gilt wings spread out, with the German word "*Bereit*" in the centre, signifying "we will be ready with all our hearts to fly when our assistance is wanted." This company originally consisted principally of respectable German gentlemen. Instituted December 28, 1789.

16. **COLUMBIA HOSE**. May 1, 1806.—The carriage was beautifully decorated with flowers, and in front was borne the model of a hose carriage.

The dress of the members was blue capes, the customary firemen's frock coats, and blue hats, with gilt and coloured letters and devices. 73 members.

17. **AMERICA ENGINE**. April 10, 1780.—Drawn by 4 black horses, driven by a man in fireman's dress. A blue banner, with the word "America" in a glory, and another banner bearing the American eagle displayed, with the words "Washington and Liberty."

The company wore blue capes and hats. 22 members out.

18. **SOUTHWARK HOSE**. Equipments, hat blue, bearing the rising sun, the coat of arms of the District of Southwark. Cape red, with the same device as the hat. Banner aloft—54 members present. May 6, 1806.

19. **DILIGENT ENGINE**. July 4, 1791.—Drawn by horses, and decorated with a banner richly trimmed, with a complete likeness of the late PATRICK LYON, the celebrated engine maker.

Dress, fireman's yellow frock coat, blue pantaloons and yellow hats. 58 members out.

20. **WASHINGTON HOSE**. With a magnificent banner, surmounted with a rich and variegated nosegay of fresh flowers—motto "presented by the young ladies of the western part of the city," encircling a portrait of Washington. In front of the carriage, a very handsome view of Washington crossing the Delaware—in the rear, "Instituted Feb. 22, 1811." On the sides, portrait of Washington with the motto "Pater Patriæ," the whole carriage dressed with ribbons and flowers. The bells ringing as in time of fire—37 members at the ropes, motto, "All private duties are subordinate to those which we owe to the public." 3 Buglers.

21. **FRANKLIN ENGINE**. Jan. 6, 1792.—Drawn by 4 black horses, ridden by four men in Turkish costume. The banner bore a likeness of "Franklin."

Dress of members—firemen's frock coats, black capes and hats, with gilt trimmings. 30 members out.

22. **FAME HOSE**. July 1, 1818.—Preceded by four Trumpeters.

Banner, white ground, bearing the figure of "Fame," surmounted by an eagle, with the motto "*Fama Extenditur Factis.*"

Dress of members, firemen's frock coat, blue cape, with initials of members names, and a figure of Fame, hat blue, with the figure of "Fame." 42 members in parade.

23. **HUMANE ENGINE**. March 1, 1794.—Drawn by four bay horses.

Banner and axeman—a second banner on the carriage bore the inscription—"*The first Hose used in Philadelphia, introduced (by the Humane Fire Company) 1795—motto of the Humane, 'Spectamus Agendo.'*"

The company claim to be the first Engine Company in Philadelphia in introducing as part of their apparatus, the Hose, the piece exhibited in the procession being part of the original Hose wove in Philadelphia, under the direction of the company, the year named on their banner, eight years before the establishment of the first Hose company. [The first hose used by the Philadelphia Hose Company was of leather, sewed, not riveted, as now in use. Prior to their institution, hose was not used for conveying water to the engine, instead of using buckets.]

24. **DILIGENT HOSE**. With blue banners; dress red and drab, with F. A. (Fire Association) conspicuous in front—motto, "Our impulse to action is the danger of our citizens." The banners of blue silk, fringed, and in the centre a gilt star. 48 members turned out.

25. **WASHINGTON ENGINE**. Jan. 3, 1796.—Drawn by members.

The banner bore a likeness of "Washington;" with the inscription "Washington the Father of our Country." The engine was surmounted by a splendid arch of evergreen and flowers—under which sat, much at his ease, a little boy about 4 years of age, dressed as a fireman, and holding a trumpet and occasionally giving orders.

Dress—drab coat, blue pantaloons, blue cape and hat with gilt inscriptions. 42 members out.

26. **UNITED STATES HOSE**. With banners, and two American flags; dress drab, with capes, covered with a gilt eagle. On the carriage, "Instituted May 7, 1828—39 members present.

27. **FRIENDSHIP ENGINE**. August 1, 1796.—Drawn by 2 grey horses, ridden by boys in fancy dresses. These were followed by a Tender, drawn by one grey horse.

Members in citizen's dress, with badges on their hats. Two Turks in the procession in full dress. A banner, with a figure of a man extending the right hand of friendship to all, and the motto, "Friendship, 1796."

28. **NIAGARA HOSE.** March 28, 1827.—A rich blue carriage and uniform.—The procession of 47 members followed by the tender—on the carriage a fine view of Niagara Falls supported on one side by the God of the Ocean, on the other by the God of Rivers, with the name of the company over the falls, and the motto, "Paratus et Fidelis."

Dress of members blue capes, blue hats and pantaloons, with gilt decorations. The carriage was followed by a Tender.

29. **COLUMBIA ENGINE.** Drawn by two horses, led by blacks, and rode by two boys in the dress of Turks, with green turbans.—Date of institution Sept. 16, 1796.—22 members out.

Banners bore an Eagle and the American Standard. Dress, Firemen's frocks, blue capes and hats, with gilt decorations.

30. **NORTHERN LIBERTY HOSE.** May 7, 1828.—Two Buglers. Then two pioneers with axes. Two Banners. One of them represents the Genius of Liberty holding the portrait of Washington, and leaning against a fire plug, surmounted by the American Eagle. The other white ground with a gilt shield surrounded by a wreath, with the name of the Company. Marshall and Assistant Marshalls.

Dress, Drab coat, blue cape, with a gilt eagle; blue hats, having in front a representation of liberty, and on the back a shield.

The carriage bore on its panel, a splendid representation by Woodside, of the Treaty of Ghent.

The bells ringing as when proceeding to duty, and the ropes manned by 63 members—motto, "When duty calls, 'tis ours to obey."

31. **WECCAEOE ENGINE.** May 1, 1800.—This company and the William Penn, excited unusual attention from the crowd—about a dozen Indians, or their representatives, in blanket costume from *papposes* to full grown warriors, preceded the members, with tomahawks and battle axes, tiara of feathers, and ear-rings, &c. The carriage drawn by two greys and surmounted by flags and banners. 38 members besides the warriors, who also probably belonged, but took this occasion to show the style of dress of the original inhabitants of Weccacoe in Southwark.

On the engine was a banner representing an Indian, this was supported by two lads dressed as Indians.

Dress of members, frock coats, red capes and red hats with gold trimmings.

32. **WILLIAM PENN HOSE.** June 1829.—The banner bearing a likeness of William Penn. The company had in advance a member dressed like an Indian of the Delaware tribe, at his left was a member in the good old plain garb of William Penn, half cocked hat, buckled wig, and drab coat and small clothes; at his left was another *friend*—and next to them were two others in friend's dress; these were followed by ten men in complete Indian costume, to them succeeded four seamen with merchandize for "The Treaty." On the carriage were two squaws wrapped up in their blankets.

Dress of the company drab frock coat, blue cape and blue hat with gilt devices and lettering.

The bells on the carriage ringing. "Like Penn, we will be useful to our country." "Instituted Feb. 1820." On the carriage a full view of the treaty under the great Elm.

33. **GOOD WILL ENGINE.** March 27, 1802.—Drawn by four large horses in good case, and heads highly decorated. The dress of this company is very suitable—a cape descends from the low crowned hat to the cape of the coat, so that water will run off immediately.

The color of the dress blue and drab. Their engine house displayed early in the morning numerous flags and devices stretched across Race street below Broad.—52 members paraded.

34. **INDEPENDENCE HOSE.** July 4, 1831.—Preceded by a grenadier about seven feet high, dressed in a sheep skin, from which the tail had not been accurately cut.—First banner, with a figure, and the motto, "Light and Liberty." Second banner, with the American eagle, and the motto, "Every thing prospers under thy wings." Third banner, "July 4, 1776—our country's glory." Beautiful emblems on the carriage, which was dressed in ribbands. 40 members at the ropes. On the carriage, "Our country is our glory."

Dress—blue coats, capes and hats, with gilt decorations.

35. **UNITED STATES ENGINE.** Oct. 29, 1811.—Drawn by 2 white horses, with a tender drawn by a white horse.

Dress—drab frock coats, green capes and green hats, with gilt decorations. 30 members out.

36. **PENNSYLVANIA HOSE.** August 4, 1831.—Banner blue, motto—

Fire, our watch word,
To extinguish it our aim;
To be useful our motto,
And Pennsylvania our name.

Dress—frock coats blue capes and dark hats; appropriate inscriptions in gold.

The bells ringing, and carriage covered with U. S. flags. Motto, "*Auxilium dare ultro festinam.*" 33 members at the ropes.

37. **GOOD INTENT ENGINE.** April 26, 1819.—Drawn by two horses, mounted by two boys, in extremely rich costume, of white, and red, and turbans to match. These dresses were much admired—33 members on parade.

The banner had a beautiful drawing of the "Good Samaritan."

Dress—fireman's coat, black cape and black hat, with rich gilt ornaments.

38. **LAFAYETTE HOSE.** Oct. 31, 1831.—Preceded by a banner, with a likeness of La Fayette—motto, "Like La Fayette, we will assist in time of need." The banner carried by three boys, dressed with numerous ribbands—emblems of various devices on the carriage—21 members present.

Dress, firemen's frock coats, tri-colored capes and hats, with a likeness of La Fayette. The carriage was ornamented with the American and the Tri-coloured flag.

39. **FAIR MOUNT ENGINE.** Drawn by two greys, in blue trimmings. The equipments new and neat, and 19 members on parade.

Dress—drab frock coats, red capes and blue hats, with a gilt fire plug.

40. **SOUTHWARK ENGINE.** Preceded by two trumpeters; carriage drawn by four white horses, and rode by two boys, in red spencers, and gold lace, with white turbans and ostrich plumes. On the gears of the horses the motto, "Southwark always ready."—The dress of this company is deep yellow, with pantaloons of the same—followed by a tender, and 68 members present.

Dress, frock coats, yellow capes and pantaloons, and hats with appropriate inscriptions.

The Engines and some of the Hose Carriages were drawn by horses, in front of which was extended a rope held by the members, who walked two abreast.

Thus was presented, at one view, a body of our active Firemen, including the Marshalls, &c. of at least 1600 individuals!

The procession was exceedingly impressing, and extended more than a mile in length. The distance marched was a little over ten miles.

When the companies passed up Chesnut street, the City Councils were, by invitation, at the City Hall, and were exceedingly gratified with this efficient arm of the city's defence, sustained by the voluntary sacrifices of the gentlemen who compose the companies.

The utmost order and harmony prevailed throughout the ranks, and the immense numbers of people of all ages that thronged the streets and windows of houses as the procession passed, give testimony of the estimation in which the fire companies are held. We observed that it took the whole just thirty minutes to pass a given point. About half past 2 P. M. the companies were dismissed to their several stations, and the members prepared for a ball in the evening at the Musical Fund Saloon, which was most numerously attended, and the hall was splendidly and appropriately decorated.

THE FIREMEN'S BALL.

The evening was passed by a portion of the Firemen, and their friends, at the Musical Fund Hall, where great preparations had been made for a Ball. The splendid large room was cleared for dancing, and by nine o'clock about four hundred ladies, and a proportionate number of gentlemen, had assembled, when the dancing commenced, and was continued when we left.

We have rarely seen this saloon look so imposingly. The managers had provided three large chandeliers, in addition to those usually lighted, and with other additions, and the attractions of the wit and beauty of our city, and an excellent band, the whole scene was one of enchantment.

The banners, flags, &c. [used in the procession, having been left by the companies for the use of the ball, were very tastefully displayed round the room, and added materially to the interest of the scene. The reflection naturally arose, as the mind embraced the *coup d'oeil*, that it was unaccompanied with any memorials that could cause a single regret. The banners told of no blood stained battle field; they recalled the feelings naturally engendered by the peaceful nature of the celebration, and we are very sure that though many must have gone home greatly fatigued, few pressed their pillows without feeling gratification and pleasure from the events of the day.

The Procession was 40 minutes in passing this office.

The following is a list of the Fire Companies Banners, with which the Musical Fund Hall was decorated:—Hibernia Engine; N. Liberties Engine, No. 1; Assistance Engine; Columbia Hose; Friendship Engine; America Engine; Hand-in-Hand Engine; Humane Engine; Delaware Engine; Reliance Engine; Perseverance Hose; Southwark Hose, 2; Franklin Engine; Philadelphia Hose; U. States Hose; Columbia Engine; Vigilant Engine; Weccacoe Engine; N. Liberty Hose, 2; Resolution Hose; Pennsylvania Hose; Washington Engine; Washington Hose, 2; Lafayette Hose; Fame Hose; Humane Hose; Independence Hose; Good Intent Hose.

UNIVERSITY OF PENNSYLVANIA.

At a Public Commencement held in the Hall of the Musical Fund Society, March 28th, 1833, the Degree of Doctor of Medicine was conferred by the reverend Provost, W. H. De Lancey, D. D., on the following gentlemen.

PENNSYLVANIA.

NAMES.	ESSAY.
James Alexander M'Crea	Solanum Dulcamara
Julien Henry,	Malignant Cholera
Walter Williamson,	Anatomy and Physiology of Teeth
Eugene H. Abadie,	Epilepsy
Robert B. Simpson,	Epilepsy
Benjamin D. Neill,	Reciprocal Influence of Mind and Body

George W. Evans,
Samuel A. Whitaker,
William S. King,
Heister H. Muhlenberg,

Adhesive Inflammation
Intermittent Fever
Rhus Radicans
Diseases of Lymphatic system

Charles Edward Hoffman,
Joseph P. Fidler,
Charles B. Welch,

Uterine Hæmorrhage
Pertussis
On the functions and diseases of the Liver

Napoleon B. Leidy,
William Honsell,
Edward Peace,
Wilson H. Pile,
Charles Martin,
George D. Bruce,
Henry F. Leib,
Robert Watson,
Sydenham Walton,
John Rhein,

Cynanche Trachealis
Dislocations of Os Humeri
Concussion of the Brain
Malaria

Acute Hepatitis
Scarlatina
Traumatic Hæmorrhage
Aneurism

James Logan Fisher,
Samuel C. Bradshaw,
John C. Jenkins,
Thomas Murray,
Robert H. Colhoun,
Joseph Spencer,
Craig Huston,
William B. Small,
Edwin C. Leedom,
Richard J. Harvey,

Intermittent Fever
Scarlatina
Dyspepsia
Intermittent Fever
Struma Africana
Scarlatina
Opium
Cholera Infantum
Malignant Cholera
Hydrothorax
Gout
Syphilis

SOUTH CAROLINA.

James Berney,
W. G. Ramsay,

Pertussis
Physiological Difference of the European and Negro
Oleum Ricini

Alexander H. Reese,

VIRGINIA.

Alfred Taliaferro,
William Ashby, Jr.
James B. Southall, Jr.
James L. Jones,
Franklin Courtney,
William N. Welford,
Sterling H. Tucker,
Maurice Fitz Gibbon,

Angina Pectoris
Anthemis Cotula
Dysentery
Peritonitis
Scarlatina
Spinal Irritation
Intermittent Fever
Action and Function of the Heart

James Hunter,
Anderson M. Newman,
Benjamin F. Terry,
John J. H. Straith,
Henry M. Estill,

Hysteria
Scarlet Fever
Hæmoptysis
Cynanche Trachealis
Constitutional Influence over Local Diseases

Peter Temple,
Edward J. Young,
John H. Lothead,
Robert R. Wilson,
Churchill J. Thornton,
James Johnson,
James W. Stewart,

Bilious Remittent Fever
Asthma
Cynanche Trachealis
Traumatic Hæmorrhage
Scarlatina
Variola
Dislocation of the Shoulder Joint

John W. Langhorne,
William K. Trigg,
George E. Redwood,
John T. Smith,
Ethelbert A. Coleman,
John Pitman,
William R. Magruder,
Henry G. Hunt,
Robert G. Jennings,
Edward S. Neal,
Littleton W. T. Land,
William B. Smith,
Robinson N. Piemont,
Samuel W. Ruff,

Cold water
Scrofulous Ophthalmia
Acute Gastritis
Bronchocele
Chronic Bronchitis
Hydrocephalus Acutus
Hæmoptysis
Cowpox
Scarlatina
Strictures of the Urethra
Cynanche Trachealis
Acute Hepatitis
Cholera Infantum
Advantages of Primary Amputation
Variola
Dyspepsia
Mercury
Gastritis

William Clarke, Cynanche Trachealia
 Abel F. Picot, Infanticide
 Willie Jones Eppes, Inguinal Hernia
DISTRICT OF COLUMBIA.
 Alex'r J. Wedderburn, Malignant Cholera
 Charles A. Hassler, Tetanus
 George R. Clarke, Aneurism
 Francis James Murphy, Practical Application of
 Emetics

MISSISSIPPI.
 Walter Wade, Death
GEORGIA.

John E. Bacon, On the use of the Tampon
 as a Remedy in Uterine
 Hæmorrhage

James D. Rivers, Intermittent Fever
 Austin M. Walker, Hernia Cerebri
 Marcus Aurelius Franklin, Sympathetic Nerve
 George M. Newton, De Utero Prolapso
 Henry S. Wimberly, Strictures of Urethra
TENNESSEE.

Samuel Donelson, Cholera Infantum
NEW JERSEY.

Quinton Gibbon, Epilepsy
 Eli E. Bateman, Dysmenorrhœa
 William K. S. Duryee, Scarlatina
 Isaac S. Haines, Cynanche Larynges
 Charles D. Hendry, Mania a Potu
DELAWARE.

Joseph P. Chandler, Cynanche Trachealis
 Isaac Henry Handy, Cataract
 Robert R. Porter, Epidemic Cholera
KENTUCKY.

Haden Leavel, Tartarate of Antimony and
 Potash
 Nicholas T. B. Marshall, Irritability
LOUISIANA.

Edward Duffel, Jr., Fistula in Ano
 John Casson, Malaria
MARYLAND.

Allen B. Brashear, Peritonitis
 William Tyler, **CONNECTICUT.**

Isaac G. Posten, Influence of Cutaneous De-
 rangement
 Alfred E. Perkins, Epidemic Typhus
ALABAMA.

Benjamin B. Beall, On the External Tegumen-
 tary Tissue
 Charles H. Patton, Lateral Curvature of the
 Spine
NEW YORK.

Nicholas Marselis, Cholera Spasmodica
 Erastus B. Burroughs, Dysentery
NORTH CAROLINA.

Samuel J. Wheeler, Capsicum Annum
 John McNeill Stewart, Rubecola
 William D. Barnes, Pathology of Fever
MAINE.

Samuel L. Clark, Neuralgia
RHODE ISLAND.

John E. Wheeden, Pathology of Fever

At the preceding Commencement, held July, 21,
 1832, the following gentlemen graduated to wit,—
 Joseph B. Ard of Pennsylvania, as Honorary Doctor of
 Medicine, and Robert Foster, of Pennsylvania as Doctor
 of Medicine, his Essay being on *Icterus*.

Total 116. W. E. HORNER, Dean.

At the Annual commencement of the Jefferson Med-
 ical College, held on Monday, March 35, at the Masonic
 Hall, the degree of Doctor in Medicine was conferred
 by the Board of Additional Trustees of that Institution,
 on the following named gentlemen:

Joseph Mitchell, Pennsylvania,
 Levi Hull, Pennsylvania,

John Fitzpatrick, Virginia,
 Morgan Snyder, New York,
 John S. Copes, Delaware,
 James K. Davison, Pennsylvania,
 Dominick A. O'Donnel, Pennsylvania,
 Edwin A. Carey, Rhode Island,
 John M'Nally, Ireland,
 Julius A. Keffer, Pennsylvania,
 Ninian Pinkney, Maryland,
 Patrick Garvey, Ireland,
 Mahlon M. Levis, Pennsylvania,
 Richard M. Waterman, Rhode Island,
 Samuel Culloh, Maryland,
 George Upton, New York,
 John S. Messersmith, Pennsylvania.

From the United States Gazette.
SUPREME COURT.

President, Directors & Co. of the Bank of Pennsylvania,
 vs.

Assignees of John Strawbridge.

This was an action brought by the Bank of Pennsylv-
 ania, to recover the amount of a promissory note,
 drawn by George Strawbridge, payable sixty days after
 date, in favor of Jonathan Smith, and endorsed by John
 Strawbridge, and fell due on the 24th October, 1822.
 On the 14th of the same month, before the note became
 due, John Strawbridge made an assignment, preferring
 three classes of creditors, and as to the third class, using
 the expression "all debts owing, due, or coming due."
 The plaintiffs claimed a right to come in under the third
 description of creditors for the benefit of the trust. The
 assignees had given the plaintiffs notice of the assign-
 ment, and they had complied with the stipulations re-
 quired of the creditors, in order to entitle them to the
 benefit of its provisions; supposing they were *bona fide*
 creditors, that this was a debt "owing due, or coming
 due." The Bank had previously released George
 Strawbridge, accepting a small dividend under an as-
 signment made by him about the same time. They also
 had regularly given notice to John of the non-payment
 of the note.

The plaintiff's counsel contended, and offered the
 evidence of John Strawbridge himself to prove, that
 though his name appeared on the note as the indorser,
 he was in effect the drawer, and they had a right to
 treat him as such, the note having been for his accom-
 modation, and he having received the consideration for
 it. That this distinction prevailed between accommodation
 paper and other negotiable paper—that the holder
 in the former case, might treat the drawer as endorser,
 and the endorser as drawer. That it was in fact the debt
 of the endorser in the present case, and one fairly em-
 braced by the terms of the assignment—as a debt "owing
 due, or coming due."

The defendant's counsel contended first—that the
 plaintiff's claim was not embraced by the terms of the
 assignment: It was *not a debt*. The endorsement was
 a contract or undertaking on the part of John Straw-
 bridge, upon which he might become liable upon the
 happening of certain contingencies, such as the non-
 payment of the note by the drawer, and notice to him
 of that fact. That neither of these events had occurred,
 or could have occurred, at the time the assignment
 was made; for the note was not then at maturity. That
 therefore there was no debt "owing, due, or coming
 due," from John Strawbridge, to the Bank of Pennsylv-
 ania, at the time of the execution of the assignment;
 and that if the failure of the drawer to pay, and notice
 to the endorser had since created a debt, still it was not
 entitled to the benefit of the trust, not having been a
 debt at the time the assigner transferred his property
 to assignees for the benefit of his creditors.

On the other point they contended that the rotation
 of the parties as they appeared on the note could not

be altered by parole evidence, and particularly by the evidence of John Strawbridge, who was a party to it. The holder must look to his note as containing his contract, and treat the parties to it as possessing the rights, and subject to the liabilities that attach in all other cases to negotiable paper under the law merchant. The fact that it was accommodation paper, and the drawer merely lent his name to the endorser for whose benefit the note was made, no difference as between the holder and drawer or endorser. It did not do away with the necessity of notice to the individual whose name appeared as endorser, in the event of wishing to change him, nor was accommodation paper, admitting this to be such, to be distinguished in any way from other business paper.

With this view, the release by the Bank, of George Strawbridge, the drawer released also the endorser—and this they did before the note became due, and before notice to John of the non-payment, which rendered such notice a mere negatory act. Suppose there should be a recovery in this case against the defendants, going on the ground that John was liable as endorser, neither he nor his assignees could recover back the money from the drawer, for the drawer of the note, George Strawbridge, held in his hand the release of the endorsers, the present plaintiffs.

The plaintiffs' counsel replied that it was clearly intended, both from the wording of the assignment, and as analogous to decisions under the English bankrupt laws, and the decisions in our own State, as well as from what had been done on the part of defendants in giving notice to plaintiffs to come in and comply with the stipulations of the assignment, that this note was a debt, and believed to have been, and intended to be, embraced in the assignment.

Again, it was competent to shew the true relations of the parties, to shew whose debt it in fact was, and this may be shewn by John Strawbridge, who is not to be effected by the result of this case, the criterion to judge of his competency. There is no reason in requiring notice to be given to a person of the non-payment of his own debt, by one who had accommodated him with his name. John Strawbridge could not defend himself against the payment of his debt on the ground of the default of another in not paying it for him. The object of notice to the endorser is to enable him to proceed against the drawer, but in the case of accommodation paper, the endorser has no right in any event to look to the drawer. For this reason, the discharge by the bank of George Strawbridge worked no injury to the defendants; since had he never been discharged and there were to be a recovery in this case, the defendants could not proceed against George Strawbridge. The plaintiffs in such a case, might treat George as security and John as principal, and therefore releasing the former is only a release of a surety, while they yet held the principal debtor, who cannot urge the discharge of his surety as a defence of this action. Besides if the court should be of opinion in an ordinary case, that accommodation paper is not to be distinguished from other negotiable paper, though in cases like the present, there seems to be good reasons for the distinction, where the real debtor continues his fictitious character only to defeat the claim of his creditor; still the assignment and the circumstances that passed in relation to it, shews that the plaintiffs were regarded as creditors of John Strawbridge, and as such, entitled to a dividend under the assignment.

The opinion of the Court was delivered by Judge Kennedy, at much length, and with great ability, and which decided as we understood it.

First, that plaintiffs were entitled to come in under the assignment of John Strawbridge from the wording of that instrument itself, regarding the latter as endorser of the note; and the court here particularly referred to the usage and practice that prevailed in this commercial community, of placing contingent liabilities, such as

that of an endorser of a note not yet at maturity, at the time of the assignment, made on the footing of a creditor, as the payer of a note drawn by the assigner, and seemed to recognize and confirm this practice.

Again, the court decided that John Strawbridge was a competent witness as between the holder of the note and the present defendants, to testify to the real character of the note, as that it was for his accommodation, and in fact his debt, that he was competent to state any fact explaining the transaction, which did not go to prejudice the holder of the note. That being a competent witness, and having testified that he received the consideration of the note, and that in fact it was his debt, though he appeared on the note but as endorser; on this ground also, plaintiffs were clearly entitled to come in under the assignment as they were by this testimony, the creditors of John Strawbridge at the time the note was discounted, or came to their hands, and at and before the execution of the assignment.

That with this view, the release of George Strawbridge by the Bank, did not effect John, not as to his rights against George, for he had none, nor as to his liability to the Bank, whose debtor he was at the time they received the note.

Judgment for plaintiffs for the dividend due at the time it was or should have been declared, first deducted, and a small dividend received by plaintiffs under John Strawbridge's assignment.

GOVERNOR'S OBJECTIONS

To the bill to incorporate the Farmer's and Trader's Bank of Philadelphia.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

Gentlemen—The bill entitled "An act to establish the Farmers' and Traders' Bank of Philadelphia" has been laid before me, and after a careful examination of all its provision and a full and deliberate consideration of the circumstances connected with it, and the grounds upon which its passage has been urged, I regret that I cannot, by any just process of reasoning, bring myself to the conclusion that a bank in the place where this is proposed to be located, is at all called for, either for public accommodation, for the advancement of trade, for affording facilities to manufacturers, or for any other object at all commensurate with the disadvantages generally resulting to the community from a too liberal indulgence in the fascinating allurements to which such institutions invite.

There are now no less than sixteen banks located in different parts of the city and county of Philadelphia, with a capital already paid in, if my information is correct, amounting in the aggregate to a sum little short of eleven and a half millions of dollars, besides a considerable portion of capital which the stockholders may be required to pay in at the option of the directors. Four of these institutions were authorized to be incorporated by acts of the General Assembly, passed at their last session, the passage of one, if not two of which was then urged professedly with a view to the trade and business upon the river Schuylkill. One of them, the "Western Bank, of Philadelphia," with a capital of five hundred thousand dollars, is now in full operation, and is said to be located within a mile of the very centre of business upon that river. I am not aware, and I believe it is not pretended that the institution just mentioned is indisposed, or that it has not the ability to accommodate every interest and every branch of business connected with the Schuylkill trade; and if the individuals or companies engaged in that traffic, can be accommodated at the Western Bank of Philadelphia, it is difficult to conceive what inducement, or what necessity there can be for establishing another bank in the same neighborhood. It will scarcely be urged that the location of the Western Bank, being a mile from the Schuylkill, the distance is too great for the convenient transaction of business; if that should really be considered a serious objection,

we need not to be surprised if the legislature should be called upon, by and by, to locate a bank at every business man's door.

It does not appear that there is any want of banking capital within the city and county of Philadelphia, for the successful prosecution of all the business operations within their limits; nor is there any complaint that I am aware of of a want of disposition on the part of the banks to accommodate all such as it would be prudent or safe to accommodate. Under these circumstances it does not appear that there is any thing in the bill now under consideration, to distinguish it from that returned a few days since, for establishing the Farmer's and Manufacturers' Bank of Delaware county, except that this bill provides "that the bank shall be kept open by the officers thereof beyond the usual banking hours, and until within an hour of the going down of the sun, on every business day, for the purpose of paying checks and receiving deposits." But if the accommodations expected to be derived from this provision of the bill under consideration, should be deemed essential to men of business, the legislature, in rechartering or extending privileges to any banks of the city and county of Philadelphia, already in existence, might make such provision as would promote that object. Upon the whole, I am not aware of a single circumstance connected with this bill other than the provision above referred to, that takes it out of the general scope of the objections contained in the message accompanying the bill entitled 'An act to incorporate the Farmers' and Manufacturer's Bank of Delaware county,' returned to the house of Representatives on the 30th ultimo, and to which I would respectfully refer the General Assembly.

I have therefore directed the Secretary of the Commonwealth to return it to the House of Representatives, in which it originated, [with my objections, that such further order may be taken thereon as the General Assembly may deem expedient.

Harrisburg, April 3, 1833.

GEO. WOLF.

IMPORTANT DECISION.

It is known to most of our citizens, that the heirs at law of the late Stephen Girard, claimed all the real estate which the deceased purchased subsequently to the publication of the last codicil of his will, amounting, we believe, to between sixty and seventy thousand dollars. The city as residuary legatee defended its claim upon the property, but on Saturday the Supreme Court of this state gave its opinion, which must settle the question, viz: that the property claimed by the heirs did not pass with the real estate previously acquired by the deceased, and by right and in law, it belongeth to the heirs.—*U. S. Gazette*.

TRADE OF GREENE COUNTY.

Remarks of Mr. Buchanan on the Farmers' and Drovers' Bank Bill.

Mr. Buchanan said he would trouble the house for a few moments, on this bill. He was aware that the members of this house were not acquainted with the localities of Greene county, if they were he should not feel it his duty, as he now did, to enter upon the explanation he was about to do. Greene county was originally a grain growing county, and their market was at New Orleans, but since the settlement of the valley of the Ohio, the citizens of Greene county, living at the head of navigation, were so far in rear of the agriculturists down the Ohio, that the market for them was generally cut off, and New Orleans was supplied before they could reach it. Since things had taken this course the farmers of Greene county had turned their attention to the raising of stock, and for the fifteen or twenty years back, this had been their business, and in this they had succeeded very well. In order to carry it on

to advantage, banks had become necessary. This course of business in this county, had necessarily divided the people into two classes—the raisers of cattle and the drovers. In the first place, the drovers, for want of ready capital, were obliged to buy their stock on credit, because there was no bank in the vicinity for their accommodation. In consequence of this, they were obliged to pay so high for their droves that the markets below did not afford them any profit on their labors. For it was impossible to purchase on a credit of three or four months, however good the credit of the purchaser might be, at as fair a price as could be done for ready cash. A change in the mode of doing business had taken place. When banking capital was established in that country, the drovers made it their business to go to Brownsville to get money; they could purchase at cash price, and this made the business profitable, and the country flourished. They had a bank at Brownsville, but the whole of the counties of Greene and Washington are without any bank. To the Brownsville bank he was willing to award full credit for its liberality—all that it was entitled to. But it had its neighbours to accommodate, and they must be served first, and then, if they had any further ability, the citizens of Greene county could come in for a share; but it often happened that the people of Greene county were not able to get accommodations at Brownsville, and when such was the case, the stock of the farmers necessarily remained on their hands the whole season. He had known entire failures in the sale of stock, under such circumstances, on more than one occasion. There were not less than from five to ten thousand head of hogs, driven annually by drovers of Greene county, amounting to not less than from thirty to sixty thousand dollars; in addition to which, were horses, cattle, and sheep in great numbers. After the spring droves are disposed of, then comes on the fat cattle, then horses, and then lean cattle again. A constant round of business in this way would keep a pretty large amount of capital employed, and usefully employed, nearly the whole time, and a bank in the county would save much time and expense to the borrowers. He said all this in the hearing of several eastern men, who knew the facts to be as he had stated, in regard to the intercourse of drovers from Greene county, with the eastern market. This being the case, what reason could there be, why there should not be a bank in Greene county? Then as to the credit of the bank, there would be no difficulty in keeping that up, the very course of business in which their money would be employed, would produce that effect. The drovers always received their pay in eastern paper, and with this paper they would pay off their loans to the bank. Their own paper would be circulated among themselves in the purchase of droves, and the avails of those droves, in eastern paper, would be placed in the bank on their return, in the room of it. This would supersede the necessity of such a provision in the bill, as had been offered to the York Bank bill, by the gentleman from Crawford. No arrangement with any city bank would be necessary, because the balance of exchange would always be in favour of the Greene county bank. Such is the case with the Brownsville bank. And he had been credibly informed, that one of the eastern banks absolutely pays a per centage for Brownsville paper. He knew the people of Greene county well, had lived among them for thirty years. They are a prudent, industrious, and worthy population. There were but few wealthy men among them, but they were generally independent in their circumstances, having small surplus capitals from five hundred to two thousand dollars, clear of all incumbrance—they were, with respect to wealth, a self made people—were not speculators, but lived by their industry. Among such a people there could be no hazard in establishing a bank. If well directed and well managed, no danger could arise, but much benefit to that section of our country.—*Pennsylvania Reporter*.

From the United States Gazette.

THE POST OFFICE.

Mr. Editor—We have heard for some time past, continual and clamorous complaints about the tardiness and irregularity of the mails. Having been actually engaged in the internal trade of the country for fourteen years, I am enabled by reference to my letters, to furnish the following statements; showing the improvements made in this department during that time. I have received more than \$3,000,000 in bank notes, checks and drafts, since 1819, and have never lost a dollar or a letter by miscarriage.

From Cincinnati to Philadelphia.

In 1819 the mail was carried in from 16 to 20 days.

1820	do	do
1821	do	do
1822	do	12 to 20
1823	do	do
1824	do	11 to 17
1825	do	11 to 14
1826	do	10 to 12
1827	do	10 to 12
1828	do	8 to 13
1829	do	8 to 10
1830	do	8 to 10
1831	do	7 to 10
1832	do	5 to 9

From New Orleans to Philadelphia.

In 1822 the mail was carried in from 18 to 26* days.

1823	do	do*
1824	do	12 to 9*
1825	do	12 to 28*
1826	do	do*
1827	do	18 to 30*
1828	do	18 to 28*
1829	do	18 to 26*
1830	do	18 to 23
1831	do	14 to 18
1832	do	14 to 18

The above statement is derived from letters received in July and January of each year. A MERCHANT.

* Very seldom in less than 24 days.

CHESTER CREEK MUTTON!

We do not believe Chester creek to be envious of the credit obtained by Brandywine, in the weight and number of her fat cattle, or in the rich Mutton of her fine bottom land; but we presume that a proper degree of emulation prevails on the creek first named. For instance—

Mr. John Marshall, of East Goshen, Chester creek farmer, had slaughtered at his house, on the 14th of 3d month, 1833, and weighed in the presence of respectable witnesses, three SHEEP of his own raising, the product of one Ewe, the aggregate weight of which was 401 lbs. and the average weight 133 and 2-3 lbs. Separate weight, viz.

	Quarters.	Skin.	Gut-fat
No. 1.—A 3 year old	125 lbs.	20 bls.	19 lbs.
2.—Past 2 do. twin-lamb,	141	21	24
3.—A yearling past, one of three Lambs at one birth, two of which were rasi'd	135	19	17

The same Ewe had six Lambs within a year, and five of them are living and doing well, on a Chester creek farm.

The above sheep were sold at the stall of Mordecai Davis in the Philadelphia Market, on the 16th of March, by Phineas Pratt, (a fine fore-saddle, weighing 60 lbs. having been kept at home,) and produced forty-one dollars and fifty-one cents. Add the price at which the other fore-saddle sold in market—60 lbs. at 8 cents per lb.—\$4 80—and the value of the three sheep in market, was \$46 31.

The above is published on the authority of John Marshall.

THE REGISTER.

PHILADELPHIA, APRIL 13, 1833.

An interesting report will be found in the present number in relation to a Geological Survey of the State; a subject to which we have several times directed public attention. We regret to learn that the subject has been postponed to the next session of the Legislature. An immediate appropriation of the sum required, would, we think, have received general approbation; and we doubt whether the same amount expended for any other purpose, would produce more advantageous results to the State, or reflect more credit upon it.

The report on the system to be adopted for the management of the rail-roads of the commonwealth, is an important document—and the sensible remarks on the subject, by Mr. Robinson, ought to have due weight. How these rail-roads, when completed, are to be rendered most productive, so as at the same time most readily to facilitate the communication between the east and the west, is an important inquiry; and it is gratifying to observe that the subject has already obtained the attention of our public men. It is therefore, to be hoped, that by the time the lines are prepared for the commencement of operations upon them, a complete system will have been matured.

The report of the Public Schools inserted this week, presents a flattering view of the state of the schools under the management of the Controllers.

Mr. Ringland has been elected Speaker of the Senate in the room of Dr. Burden, resigned.

The Legislature adjourned on the 9th instant, after having been 127 days (including holidays,) in session. One hundred and seventy-five acts and 24 resolutions were passed.

The City Treasurer has given notice, that on the first of May, the following City Loans will be paid off, viz.

One created by ordinance of 17th Dec.	
1818, at 6 per cent. for	\$70,000
One created by ordinance 6th of March,	
1821, at 5 per cent. for	15,000
Making together,	\$85,000

Interest on those stocks will cease on the 30th April.

A tax of 60 cents has been directed on every 100 dollars per last county assessment on real and personal estate, and a proportional personal tax—for the purpose of raising the sum of \$23,500 towards defraying the expenses of the Incorporated District of the Northern Liberties, for 1833.

DIVIDENDS—American Fire Insurance Company, April 1, 4 per cent for 6 months.

State Bank at Camden April 5, 3 per cent.

REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

VOL. XI—NO. 16. PHILADELPHIA, APRIL 20, 1833. NO. 277.

CANALS AND RAIL-ROADS COMPARED.

To the Canal Proprietors

And the Traders on the Canals in the line of the projected Rail-way between London and Birmingham.

Gentlemen—I have been led to address you in consequence of perusing a printed statement, entitled "Summary of the evidence led in proof of the Preamble of the bill for making the London and Birmingham rail-way," circulated by the subscribers to the rail-way, who have appended to it a copy of the report for the year 1831, of the Directors of the Liverpool and Manchester rail-way.

On considering this document, I observe that the revenue of the new projected rail-way is expected to arise from two sources, the first of which is the engrossing of the whole existing traffic on the turnpike roads, at present carried on by coaches, post carriages, vans, waggons, &c.

In the case of the Liverpool and Manchester rail-way, all this trade has been taken from the turnpike roads connecting these two towns; and from the coachmasters, postmasters, and van and waggon carriers; and the whole is now entered in, and carried on by one joint stock partnership, the Liverpool and Manchester rail-way company, who are now the sole coach and postmasters, and van and waggon carriers, between Liverpool and Manchester. The amount of profits derived from the trades and occupations, now go to make up a dividend to the Liverpool and Manchester rail-way shareholders.

It is taken for granted that the same thing must take place on the turnpike road traffic between London and Birmingham and though the London and Birmingham rail-way is not like the Liverpool and Manchester rail-way, six miles shorter, but is (including the distance to be traversed at each of its terminations) eight or nine miles longer than the turnpike road—this conclusion may be considered as a fair one, and it may be predicted, that the whole, or a very large proportion of the coaching and carrying trades on the turnpike roads, now divided among such a variety of companies and establishments, must, on the opening of the London and Birmingham rail-way, merge or fall into the hands of one great joint stock corporation, the London and Birmingham rail-way company.*

* I know the turnpike road coachmasters say they are able to carry nearly as cheap as the rail-way, but though they could, the enormous capital, and the credit and the power to borrow or create stock, which the rail-way corporation possess, must make rivalry with them ruinous, if not impossible. By the statement of Mr. Booth, the secretary to the Liverpool and Manchester rail-way, it appears that the expenditure in the formation of the rail-way works, or as it is termed, the capital account, on the 31st May, 1830, was £739,165 5s. 0d. and at this time the rail-way was nearly completed, and was opened four months after for general trade. This expenditure of £700,000, occupied a period of four years. By the account appended to the "Summary of evidence of the London and Birmingham rail-way," it appears that the expenditure on account of the Liverpool and Manchester rail-way and works, amounted, on the 31st December, 1831, to a sum of nearly £992,054. 3s. 6d., so that the expenditure

The second source from which the London and Birmingham rail-way company calculate to obtain their revenue, is by taking from the canal carriers, engaged in the transport of light goods by what are called fly-boats, a large amount of their trade, and by transferring the same to the rail-way company in their capacity of carriers.

How far this last calculation may prove correct, seems to be extremely doubtful, for the canal conveyance to London is already far cheaper than that on rail-ways, and the Liverpool and Manchester rail-way company, in their competition with the water carriage, have obtained but a very trifling proportion of traffic from the canals. The profits (if any have actually been made by the carriage of goods on the Liverpool and Manchester rail-way) are extremely small; yet the water distance between Manchester and Liverpool, is nearly double the rail-way distance; and instead of possessing the regularity of canal conveyance, is, for eighteen miles of this additional length, subject to the winds and tides of the Mersey. Nevertheless, of an amount of nearly fourteen hundred thousand tons annually, for the carriage of which the directors of the Liverpool rail-way were desirous to provide, before the rail-way was opened, little more than an eighteenth part, including the entire road traffic, has been as yet, obtained for the rail-way; and the expenses of carrying this fraction of the trade, have been so enormous, as to make it doubtful whether the rail-way company do not suffer a regular loss on their carrying trade, which is defrayed from their profits as coachmasters.*

The question is one of great importance to the parties interested in the canals between London and Birmingham, as on the truth or falsity of the calculations of the promoters of the rail-way, must depend the continuance of a considerable portion of the revenue of the canal proprietors, and the very existence of the trade or occupation of the canal fly-boat carriers. Unless the London and Birmingham rail-way company obtain

on the capital account, from 31st May, 1830, to 31st December, 1831, amounted to £252,888 18s. 6d. The expenditure on the capital account has heretofore continued as high, after the rail-way was opened, as during the period it was constructing. In addition, an act has been obtained this year, authorising the company to borrow £100,000 additional, to make a tunnel for the coaching trade. A company thus incorporated may at once ruin a rival, by increasing their stock without touching their dividend.

* The entire trade contemplated by the directors, previous to the rail-way being opened, and for which they wished to provide means of conveyance between Liverpool and Manchester, was 1,248,000 tons; but the entire amount obtained in the year 1831, was 88,099 tons, of which 52,224 tons was carried in the last six months of 1831. The expense of carriage of these 52,224 tons, was £21,841 4s. 10d. so that if the entire amount of anticipated trade on the rail-way had been obtained, the actual annual outlay on the goods trade alone, would have amounted to nearly £500,000 sterling, besides all the coaching disbursements, a sum far beyond the original estimated cost of the rail-way itself.

possession, not only of the *whole revenue or tolls paid to the trustees on the turnpike roads, with a portion of the canal tolls, and the entire income and profit of the carriers and coachmasters* on these roads and canals, no return whatever could be obtained from their outlaid capital.

The rail-way company take it for granted that the canals are unable to enter into competition with them for the turnpike road traffic, the coaching, posting, van and waggon trade of which they expect to take from the road without dispute. They consider that the canal companies must stand merely on the defensive, until the rail-way company, *having taken the road trade*, begin the attack, and that then the canal carriers and companies can only protect and preserve a part of their light goods' trade by a reduction of dues and charges, to compensate for the great rates of speed of the rail-way conveyance.

It is in order to enable you to change entirely this position of parties that I now address you, and I expect to make it clearly evident, that instead of being obliged to defend their present trade, the canal companies and canal carriers may not only possess themselves of the whole van and waggon carrying trade now plying along the turnpike roads, but may obtain also a large portion of the *coaching or passenger trade*, and thus meet the rail-way on what was expected to be *their undoubted and indisputable possession*.

I am aware that at the present you believe it to be impossible, that in case a canal of nearly the same length as the Liverpool and Manchester rail-way, could by any means be formed, connecting these towns, that it could take from the existing rail-way any considerable portion of the passenger trade, and it is likely that any statement in opposition to this belief, will generally be received with ridicule. The fact, however, is, that *supposing such a canal to be formed and in operation, between Manchester and Liverpool, the rail-way coaching trade could not stand for a single month in competition with canal passage-boats*; and this is the case, and will be the case, in every canal where the proper means are adopted. For however incredible it may appear, it is certain that canal passengers can be carried at a speed of ten miles an hour, with a *degree of ease, comfort, and safety*, such as *no other conveyance can give*, and at a charge (if required by competition) not much more than a *tenth of the cost of the rail-way travelling*.

These facts, so different from general belief, have only been completely ascertained during the course of the last two years. They are consequent on the detection, by *practice or experience*, of *two fallacies* which had been held out to the public, and received as undoubted truths.

The *first* of these fallacies was, that it was impossible to propel a boat, carrying any considerable number of passengers, along a canal at a high speed, without incurring an enormous expenditure of money and power, and without occasioning a wave or surge which would wash down the canal banks.*

The *second* fallacy was promulgated by certain engineers connected with rail-way projects, and is as follows, viz. that in proportion as the *speed on the rail-way was increased*, the expense of conveyance *was diminished*, as the engines by doubling their speed could in the same time do double work.*

* The last scientific work I am aware of, in which these fallacies, propositions, or data, are demonstrated to be true, is Mr. Wood of Killingsworth's book on rail-ways. This book was republished about six months after the Liverpool rail-way was opened; and it is there demonstrated that it would take upwards of *seventy horses to do on a canal what is now actually done every day on the Paisley canal, by two horses*; while it is in like manner demonstrated that the conveyance on the Liverpool rail-way was costing *one-ninth of the amount, which, at the end of the year, it was found to have done*.

Now the first fallacy, viz. the alleged impossibility of moving at a great velocity through canals, and the certainty of the destruction of the canal banks by the swift passage of canal vessels, have been proved to exist in imagination only. A speed of ten miles an hour has for the last two years been maintained, in the carriage of passengers on one of the narrowest canals in Britain, *without raising a ripple on the banks*, even where the vessel carried upwards of one hundred passengers, or as many as are carried in a train of coaches on the Liverpool and Manchester rail-way.

The *expense or cost of obtaining this speed*, are so trifling, that the *fores fier mile are in these quick boats just one-half and one-third of the fares in the Liverpool rail-way coaches*, while at these low fares the profits are such as to have induced the boat proprietors to *quadruple the number of boats on the canal*.

On the other hand, and in respect of the *second fallacy*, although it be true that the extraordinary velocities obtained on the Liverpool rail-way have fully come up to the expectations of the projectors, yet the *expense, instead of being diminished* (according to the dicta promulgated by the engineers) have been *enormously increased*, and have gone so far beyond all previous calculation, as to make it doubtful whether the rail-way company will not ultimately find, that, agreeable to an Irish phrase, they have gained a loss.

It is sufficient here to say, that while the rail-way was forming, and before it was opened, the entire expenses of a locomotive engine working 312 days in the year, and doing three trips of thirty miles per day were stated, and indeed appeared to have been *demonstrated to be £270 12s. 10d.* or including a sum of £54 proposed to be laid aside every year for interest on capital invested, and replacement of engines employed, with allowance for spare engines, a *sum of £324 12s. 10d. sterling*; yet between errors in the calculation, and the effects of the *quick speed*, the bare cost of the above journeys has been increased to nearly £2200 a year, and this large sum is the *mere charge for fuel, repairs, and enginemens wages*, without any allowance for interest on capital expended on the engines, or for their replacement.*

After making these statements so contrary to general belief, it is proper that I should proceed to show distinctly the truth of what I have stated.

Two years have not yet elapsed since the opening of the Liverpool and Manchester rail-way, *where the first*

* Previous to the opening of the Liverpool rail-way, Messrs. Stephenson and Lock, engineers on the rail-way, judging from various trials and experiments made on the rail-way, calculated the expense of an engine doing nine hundred and thirty-six trips yearly or three trips per day, at the rate of fifteen miles per hour, dragging a dead weight of about thirty tons, as £324 12s. 10d. including a sum of £54, laid aside each year for replacement of engine and interest on cost;—or the cost of the motive power of each trip was calculated by them at a sum something under six shillings and sixpence.

It does not appear by the Liverpool and Manchester rail-way reports, what number of engines they had in employment during the year 1831, but this is of little importance, as the number of thirty mile trips performed by these engines is specially stated, with the cost of these trips, and this cost includes *merely the price of coke consumed, the cost of repairs, and enginemens wages*, without any allowance whatever for interest of capital or replacement of the machines themselves. Now, the exact number of thirty mile trips made by the Liverpool rail-way engines in the last six months of the year 1831, was 5,392, of which 2,944 were with coaches and passengers, the gross weight dragged not exceeding fourteen tons. The expense or cost of these 5,392 trips, for coke, wages, and repairs alone (allowing nothing for replacement) was £12,203 5s. 6d. or a little above £2 5s. 3d. per trip; or the bare cost of an engine doing nine hundred and thirty six trips was £2,107 14s. instead of £270 12s. 10d.

experiments were made as to the effect of *high velocity on rail-way conveyance*. At this very period, certain experimental boats were built for the purpose, and in the expectation of obtaining an *increased speed in the conveyance of passengers on the Ardrassan*, or as it is more generally called, *the Paisley canal*. These two experiments, as regards high velocities on rail-ways and canals, were therefore begun and continued during the same period. The actual result of these experiments I shall now state.

As respects canals, the experiments of great velocity have been tried and proved on *the narrowest, shallowest, and most curved canal in Scotland*, viz. the Ardrassan or Paisley canal, connecting the city of Glasgow, with the town of Paisley and the village of Johnstone, a distance of twelve miles. The result has disproved every previous theory as to the difficulty and expense of attaining great velocities on canals; and as to the danger or damage to the banks of canals by great velocity in moving vessels along them.

The ordinary speed for the conveyance of passengers on the Ardrassan canal, has for nearly two years been from nine to ten miles an hour, and although there are fourteen journeys along the canal per day, at this rapid speed, the banks of the canal have sustained no injury, indeed injury is impossible, as there is no surge. The boats are formed seventy feet in length, about five feet six inches broad, and, but for the extreme narrowness of the canal might be made broader, they carry easily from seventy to eighty passengers, and when required, can, and have carried upwards of 110 passengers: The entire cost of a boat and fittings up, is about £125. The hulls are formed of light iron plates and ribs, and the covering is of wood and light oiled cloth. They are more airy, light and comfortable than any coach, they permit the passengers to move about from the outer to the inner cabin, and the fares per mile are one penny in the first, and three farthings in the second cabin. The passengers are all carried under cover, having the privilege also of an uncovered space. These boats are drawn by two horses (the prices of which may be from 50 to £60 per pair) in stages of four miles in length, which are done in from twenty-two to twenty-five minutes, including stoppages to let out and take in passengers, each set of horses doing three or four stages alternately each day. In fact, the boats are drawn through this narrow and shallow canal, at a velocity which many celebrated engineers had demonstrated, and which the public believed to be impossible.*

The entire amount of the whole expenses of attendants and horses, and of running one of these boats four

* The Paisley canal passage boats are formed very much like the common race gig. This form was suggested by William Huston, Esq. of Johnstone, who made an experiment with a common race gig boat, in spring, 1830. He found that with a single horse, this boat with twelve men on board, could be drawn through the Paisley canal at the rate of twelve miles per hour. The first boat for passengers, built in consequence of this experiment, was made of wood, and the only difficulty in her management, was the labour to the horses in carrying her round the curves in the canal. This difficulty, at Mr. Huston's suggestion, was removed by doing away with the dead wood behind, and attaching a deep midships keel. By this alteration, the boats steer most beautifully, and the labour of the horses at the curves is made quite easy. The hulls of all the boats since the first, have been made of iron, the plates of a 16th wire gauge. This makes them very light, and much stronger than a wooden boat, and two years trial has shown their perfect safety, in spite of all the doubts and objections started, when I first proposed their use. The plans of the boats were made out by Mr. John Wood, ship-builder, Port Glasgow. Description, however, will not do; let parties wishing information as to these boats, come and see their performance.

trips of twelve miles each, (the length of the canal), or forty-eight miles daily, including interest on the capital, and twenty per cent. laid aside annually for the replacement of the boats, or loss on the capital therein invested, and a considerable sum laid aside for accidents and replacement of the horses, is £700 some odd shillings, or taking the number of working days to be 312 annually, something under £2 4s. 3d. per day, or about 11 pence per mile. The actual cost of carrying from eighty to one hundred persons a distance of thirty miles (the length of the Liverpool rail-way) at a velocity of nearly ten miles an hour, on the Paisley canal, one of the most curved, narrow, and shallow canals in Britain, is therefore just £1 7s. 6d. sterling. Such are the facts, and incredible as they may appear, they are facts which no one who inquires, can possibly doubt.*

As respects rail-ways, the experiment of high velocities has been made, and the result ascertained on the best finished, and finest line of rail-way in Britain, connecting the two great towns of Liverpool and Manchester, without a single curve from end to end, and with only two short ascents.

The result of this experiment on the Liverpool rail-way has been somewhat different from that on the Ardrassan canal. On the railway, indeed, the expected velocity has been fully attained, and the calculations of the engineer, in this respect, satisfactorily demonstrated as possible and correct; but unluckily one very important matter had not been admitted into the calculation, or rather had not been supposed to exist, viz:—the probability, or rather certainty, of a great increase of expense, consequent on increased speed. The geometrical ratio of increased resistance on increasing the speed on canals, has been transferred to the increase of expense on increasing the speed on rail-ways, with this addition, that the increase of expense affects not merely the moving power, or locomotive engine, but the coaches, waggons, and road-way. The ordinary speed of conveyance on the Liverpool rail-way, is from ten to twenty miles an hour, and depends much on the weather and the weight dragged. The rail-way engine with its tender for carrying coke and water costs about £1000, and drags after it a train of eight coaches, the cost of each of which, if the same as in the estimate for the London and Birmingham rail-way, should be £200, or a train of first-class coaches, with accompanying engine and tender, cost £2600. The coaches accommodate one hundred and twenty passengers. There are other coaches, and also uncovered waggons, which travel at an inferior speed, and which will cost less. The fares are various; seven shillings, or nearly three pence per mile for each passenger, in the best coaches, and five shillings, or two pence per mile, for each passenger in the common coaches, of what is called the "first train," being just double and triple the Paisley boat fare; and four shillings in the coaches, and three shillings and six pence in the uncovered waggons of what is called the "second train," which move at a lower velocity. The lowest rail-way fare to the traveller, is therefore three halfpence per mile, in an open, uncovered wagon, moving at an inferior speed, exposed to wind and rain, and the steam and smoke of the engine—or double the fare on the Paisley canal, for being carried in a comfortable cabin under cover.

The exact cost of running the Railway Coaches cannot well be made out, as the expenditure is so blended

* COST OF COACHES.—In the Liverpool rail-way account of expenditure, for the last six months of 1831, the charges for repairs and attendance on the Liverpool rail-way coaches, is stated at £7,455 1s. 1d. sterling, of which 3d. $\frac{1}{2}$ per passenger, or £3,254 0s. 0d. $\frac{1}{2}$ is stated as being paid for Omnibus accommodation. This leaves £4,201 1s. 0d. $\frac{1}{2}$ sterling, as the cost of repairs, and attendance, and the number of thirty mile trips, being, per the Report, 2,944, the cost on each trip was £1 8s. 7 $\frac{1}{2}$ d. sterling.

in the Railway accounts with other matters, that is difficult to separate the appropriate items. *The bare cost of fuel, repairs, and engines' wages, however, on each thirty mile trip of a locomotive engine, amounts as appears by the Liverpool and Manchester Railway accounts, to a sum of £2. 5s. 3d.* while the cost of repairs and attendance alone on each train of coaches going a thirty mile trip is £1. 8s. 7½d.† Or the outlay on these two items of expenditure alone costs 2s. 5½d. per mile, or nearly triple the entire cost of running a Paisley Canal boat a like distance. If the other items of expenditure are added, it will be found that the mere outlays per mile on the running of the Liverpool Railway coaches are not much inferior, if they be inferior at all, to the gross amount of the fares receivable from a passage-boat on the Paisley Canal, supposing it always to have (what is not possible) a full complement of passengers.*

The above conclusion is fully established by the Liverpool and Manchester Railway Report before-mentioned. By this Report it appears, that the average gross receipt from each passenger going along the Liverpool and Manchester Railway in the last six months of 1831, was four shillings and sixpence halfpenny, and that two shillings and one farthing of this sum was cost or outlay in the articles of coke, wages, repairs, and cost of keeping up the Railway and establishment, but without any allowance for replacement of engines and coaches, or for returns on the capital invested therein, or for Railway dues. It is stated in the accounts that 3d. ½ of this outlay is paid for the use of Omnibuses to each passenger, *which, if correct, makes the cost of carrying each passenger thirty miles to be one shilling and ninepence ½, or as nearly as possible, three farthings per mile, which is just the full fare levied from five-sixths of the passengers on the Paisley Canal.* In other words, the Paisley Canal Company make a large profit on fares which would not pay the mere outlays on the Railway conveyance.

The Paisley Canal-boats have now been at work plying on that Canal, since the autumn of 1830, and it is found that they are as easily and as safely drawn at the high velocities before mentioned, during the night as during the day. The accidents on the Liverpool railway have been so frequent, and so serious, as to require the notice of the Directors in the reports; whilst not even the semblance of an accident has happened with the Paisley boats. When plying in the dark, the only precaution necessary is on account of the boy riding and directing the horses. In passing under the bridges over the canal, a light to direct him is opened by the man at the bow of the boat, and thrown on the bridge so as to guide the boy, and this light is shut up as soon as the bridge is passed.

The accommodation to intermediate passengers by these boats is very great; they are so light and so easily drawn, that they have (what is termed) little way, and stop almost as soon as the horses cease to pull, while, from the lightness and shallow draught of water of the boats, the velocity can be easily and suddenly regained.

If the trains of coaches on the Liverpool railway were like the Paisley canal boats, stopped every mile or two for the accommodation of intermediate passengers, they would not be able, from the time lost in first reducing and afterwards raising their speed, to go so fast as these improved canal-boats.

This easy power of stoppage, and of travelling during the night, is, independent of cheapness, a most formidable power to canals in obtaining the carriage of passengers, and if properly employed, will more than put them on a par with rail-ways in the competition for the passenger trade. Intermediate passengers on most routes give nearly one half of the returns; and it is impossible for a rail-way to accommodate this intermediate trade without sacrificing its only advantage of superior speed.

The passage of locks in canals, and the delay conse-

quent on such passage will, no doubt, be an obstruction and disadvantage to many canals; but by proper arrangements, this disadvantage may be got over. The locks, where it answers, may be the places at which horses are changed, or for receiving or landing passengers. And where they occur in the middle of a stage, they will be a short relief to the horses, so that a higher speed may be kept up before and after leaving the locks. Where a series of locks occur at one place, the time occupied may be employed in obtaining refreshment, or taking breakfast or dinner. There are no locks on the Ardrossan or Paisley canal, but in two of the stages it is for a considerable distance so narrow, that two boats cannot pass. At these places (when the boat is fully loaded) the speed is slackened to between four and five miles an hour; the time is afterwards made up on the wider parts of the canal. The entire length of these narrow places extends to fully a twelfth of the whole length of the canal.

Such are the improvements which have been effected on the Ardrossan or Paisley canal, so far as regards high velocity; and they may be followed out in every canal so as not merely to defend the present established canal revenue, but to obtain a new and great additional revenue.*

* State of time occupied on two voyages from Johnstone to Glasgow, 12 miles, June, 1832:—

FIRST VOYAGE.

1832.

June 16.—Left Johnstone 28 minutes from 3 o'clock, P. M. met no boats—diminished speed to about 4 miles an hour in narrows, for about half a mile from Paisley—arrived at Paisley 5 minutes to 3—

Time	HOUR.	MIN.
Stopt at principal basin, Paisley	0	8
At coal wharf beyond	0	3
	0	11
Arrived at Glasgow a few seconds from 4—met 5 loaded boats and a passage boat between Paisley and Glasgow, lost upwards of a minute and a half at aqueduct over river Cart, which a boat entered before us, and where the canal is too narrow for two boats to pass. Stopt once to change horses, and then to let out or take in passenger—time.....	0	54
	1	28
	HOUR.	MIN.

Time on journey, including stops, except

cept at Paisley,	1	17
At Paisley,	0	11
	1	28

SECOND VOYAGE.

1832.

June 28.—Left Johnstone 29 minutes past 2 o'clock, P. M. arrived at Paisley 7 minutes to 3—no stops except for half a mile at entering Paisley, where, as usual, boat was slowed

Stopt at principal basin,	0	9
At coal basin,	0	3
	0	12
Arrived at Glasgow at four minutes from 4, P. M.—met three loaded boats and passage boat—stopt twice for letting in and out passengers, and once to change horses,	0	51
	1	27

Time on journey, including stops, except

at Paisley	1	15
At Paisley,	0	12
	1	27

* See note on page 242, second column.

† See note on page 243, second column.

Although I have principally confined myself to the article of passengers, yet all I have stated applies equally to the light goods now sent by the road waggons and vans.

With two horses it has been shown, that a weight equal to nearly eight tons in passengers, may be conveyed along a narrow and shallow canal, at a rate of nine or ten miles an hour, and at an expense of 11d. per mile, including every outlay, with interest and replacement of capital, being less than one-third of the bare cost for conveyance of a similar weight on a railway.*

To enter into any further details as to the superior cheapness of the conveyance of light goods by the new improved boats on canals, over the conveyance by railways, is unnecessary. For if in the passenger trade (in which branch of conveyance rail-ways were considered to be invincible,) the improved boats possess such advantages over rail-ways; it is clear, that these advantages in the carriage of light goods, are still more decisive. The absolute outlay or cost of conveyance of a ton of goods, between Liverpool and Manchester (by the rail-way accounts,) is upwards of 8s. or between 3d. and 4d. per mile, without any allowance for the annual deterioration of the vast sum laid out in waggons, engines, machinery, &c. for enabling the rail-way company to prosecute the carrying trade, and without any allowance of interest on that capital, or on the sum laid out on the rail-way.

But these goods could be carried along a canal at nearly the same speed, and for a cost of about one penny farthing per ton per mile, including in this sum a liberal allowance for interest and replacement of capital; thus leaving a sum of from two pence per mile to three pence per mile to meet the expenses of delivery, canal dues, and carriers' profits—while the entire charge would be still within the outlaid expenses on a rail-way.

I know well that the amount of articles requiring a dispatch of eight or ten miles an hour, or rather which can afford to pay any additional charge for conveyance at this speed, is very trifling; but if the statements in the summary of evidence as to the London and Birmingham rail-way be correct, there is at present a considerable traffic in light goods by vans and waggons on the turnpike roads in the line of your canals. If so, you must not permit a rival to possess himself of this trade, and to use the revenue of it as a mean to keep up the rival establishment. By conjoining in boats on the improved construction, the carriage of the light goods now going by vans or waggons, and coaches, with a night passenger trade, a very lucrative branch of business may be reared up for your navigations. With light boats, carrying from thirty to forty passengers, and from four and five tons of goods, all the turnpike, van, and carrying trades, may be taken by the canals, and all travellers to whom money and time are of moment, will prefer this night route. The ease of motion of the boats is such, as to prevent all fatigue, and by a limitation in the number of passengers, the accommodation may be made as comfortable as a bed or sofa.

Every one who has seen the various improvements introduced, and introducing into the construction of the light gig-shaped boats, must be sensible that this matter is in its infancy. The comfort and airiness of the later made boats is most striking; and the introduction of a hollow keel will enable them to be made much flatter midships, so as to make them more easily tracked. That farther improvements may be introduced, I make no doubt, and when it is considered that the entire improvements already stated, have originated with, and

have been brought into full effect by one individual (William Houston, Esquire, of Johnstone Castle,) who was previously unacquainted entirely with boats or boat building, the field of improvement seems sufficiently open. To his talents and perseverance, Canal Companies and Canal Carriers are deeply indebted; and I am convinced nothing would afford him greater pleasure than to see his improvements carried forward and surpassed.

I shall make only one farther reference to the Liverpool and Manchester rail-way report, and state, that it thereby appears, that such is the value set on money as compared to time, that a large proportion of the passengers on that rail-way prefer to travel by the open uncovered waggons at a greatly reduced speed, and without the accommodation of an Omnibus at each extremity to convey them to their destination, in order to save one shilling and sixpence. In other words, the saving of two hours of time, and a walk of nearly three miles, was not worth to them an outlay of eighteen pence. The same result must take place in the contest between your passage boats and the rail-way carriages, with this difference in your favour, that the second cabin of one of the boats at a fare of three farthings per mile, will be more agreeable and much safer, than a rail-way coach of the first order, at a fare of three pence per mile. In all night travelling, provided the vehicle is noiseless and easy in motion, time is not taken into account in distances which can be accomplished between eight or nine at night, and seven or eight in the morning. The rail-way coaches cannot travel at night, and if they could, their only advantage of speed would be lost between the principal points of the journey.

I need not call your attention to the improvements by lengthening locks, improving curves, avoiding circuits, &c. which you may make on the passage along your canals. If the breadth and the curves in the Paisley canal permitted their boats to be made ninety feet instead of seventy feet in length, the passage boats would carry nearly a half more passengers without increase of expense, while the labour of the horses would be diminished.*

Many of these improvements must depend for execution, on the consent of the adjacent landed proprietors, and which it would be clearly their interest to grant. The improved communication is a general benefit to the country, and a very particular one to those districts to which the improved water conveyance may be extended, and particularly beneficial to the agricultural and working classes, by affording employment to the one, and a market for the produce of the other class.

The merits of the improved conveyance are not like all late improvements, a mean of superseding animal labour or power, but consist in an improved and extended application of that power. The country obtains thereby all the benefits of the cheaper and improved travelling and communication, while the change is productive of not even a temporary inconvenience to the raisers of food, or to the labouring classes who consume it. It does not consist in the substitution of a small number of machines to supersede the work of many thousands of men and horses, but the improvement consists in enabling these men and horses to exceed and supersede the power of machines.

I am respectfully,

Your most obedt. servant,

THOS. GRAHAME,

Glasgow, July, 1832.

* The builders of the Paisley boats have just finished and launched a passage boat on the same principle in the Monkland canal. She is eighty-four feet long, six feet three inches broad, and can with perfect ease carry upwards of 100 passengers. She was built in Paisley, by Messrs. Reid and Hannah, carried on a truck to Johnstone, where she was fitted up by Mr. Boag, and thence carried on a truck fully sixteen miles, and launched in the Monkland Canal, where she gives the highest satisfaction.

—The stop at Paisley is stated separately, as it would be on any other journey useless. Paisley furnishes almost all the passengers both for and from Glasgow and Johnstown.

* See note on page 244, second column.

With great submission to the learned men who have experimented and written on the subject of the resistance to bodies moving at various velocities on the surface of water, it would appear, that *little certain knowledge* has yet been attained in the matter. Independent of the *simple resistance of the water*, to its being divided or thrown aside by the moving body, which might (if it could be preserved unmixed with other causes of resistance) be measured and ascertained, there are causes of obstruction or resistance excited or brought into action, by the mere motion of the advancing body, which are constantly varying in amount and effect, and which thus render all experiments as to the actual resistance of the water, and its increase, quite uncertain. The variations in these sources of resistance are so great, that while at certain velocities (very high or very low velocities) they hardly appear to exist or to produce any effect—at certain other velocities they would appear to be greater obstructions than the *actual resistance of water* to being cut or divided. If these subsidiary causes ever totally disappear, it is at very high velocities, and I am inclined to think, that at these velocities they do disappear—but this disappearance is uncertain; it is well ascertained, however, that though not very perceptible, they may be observed at very low velocities.*

My meaning will be best explained by a reference to facts verified by the Paisley Canal Passage Boats, when moving along that Canal. When started at a low velocity, these boats move apparently through the smooth surface of the Canal, meeting with no resistance other than that of a very small part of the fluid which they intersect. If, in addition to this resistance they are burdened with the obstruction of a small body of water carried on before, it is not perceptible. Let the speed be increased, and a body of water rises in front of the boat, preceding it at various distances, dependent on the velocity of the boat, and increasing by degrees, till it rises to eighteen inches, and two feet flowing over the banks of the Canal, and occasioning such a resistance, that the horses dragging the boat would, if it was allowed to continue, be unable to proceed for any length. If, however, the speed is farther increased, the boat advances to, and passes the wave, which subsides behind, and the water in the canal becomes again perfectly still. The horses become then fully able for their work, and the boat appears to meet little resistance other than that occasioned by cutting or passing through the water. Whether in this last case the vessel still continues to carry a body of water in front, is uncertain, but if such be the case, it is imperceptible, and the higher the velocity, it would appear, from the increasing quiescence of the water, the more is the resistance to the moving body reduced to the mere resistance offered to the cutting of the water. So sensible are the masters of the Paisley Canal Passage Boats of the destructive effect of this wave before the boat, and in obstructing its motion and overcoming the power of the horses, that when by the carelessness of the drivers a wave is allowed to rise, the boats are stopt and again started, as it is found to be much easier to bring the boat up to the high from the low speed, without raising the wave, than to force the boat over the wave when once it has been raised. In like manner when the boat is moving at the rate of nine or ten miles an hour through the Canal, if the horses are suddenly stopt, the wave appears as the speed decreases, and washes over the banks until the onward motion of the boat falls to the low velocities first mentioned.

Now, two very opposite conclusions might be drawn by persons observing these facts. One person beginning with the high velocity, and observing the increase of labour to the horses on decreasing that velocity, might be apt to imagine, that not only the resistance increased

with the diminished speed, but that at the diminished speed, a wave, destructive to the Canal banks, was raised. Another party again observing the increased resistance and wave consequent on increasing the speed of the boat beyond the low velocity, might at once lay down opposite rules and conclusions.

Until some mode of measuring the effect of this wave in increasing the resistance is ascertained, it would appear to be difficult to say what is the real increase of resistance in passing along the surface of a piece of water. The fact is undoubted, that two horses on the Paisley canal boats, drag with ease a passage boat, with her complement of seventy-five or ninety passengers, at the rate of ten miles an hour, along the canal, while it would kill them, or even double the number of horses, if they attempted to drag that boat along the canal at the rate of six miles an hour. It would be much easier to draw the boat along the canal at the rate of fifteen miles an hour, than at the lower velocity of six miles. The facts now stated, though more decidedly exhibited in the Paisley canal, from its narrowness, have been proved and exhibited on various other Canals, and must, though in different degrees, affect motion along all bodies of water.

They afford great encouragement to canal companies, in their endeavours to improve the speed on their canals. I have been dragged, by one horse, in a common gig boat, with five or six other persons, for two miles, along a canal, at the rate of fifteen miles per hour; and this speed was not limited by the labour of the draught, but by the power of speed of the horse. A high degree of speed is safer both for the light boat and the canal works, than a speed of five miles an hour with a common heavy boat, as the light boat carries little way, or momentum, and might be dragged at the above high velocity to the very entry of a Lock, and would have her speed reduced before she was fully into it, so that there is no danger to the gates.

I have also performed a voyage of 56 miles, along two canals, including the descent of four, and the ascent of eleven Locks, the passage of eighteen draw-bridges where the line was thrown off, and sixty common bridges, and a tunnel half a mile long, in six hours, thirty-eight minutes. The boat was of a twin shape, 69 feet long and 9 feet broad, and was drawn in stages by two horses each stage, and carried thirty three passengers, with their luggage and attendants. T. G.

July 1832, Glasgow.

APPRENTICES LIBRARY COMPANY.

Annual Report to the Apprentices Library Company.
March 11, 1833.

List of Officers and Managers.

President—JOHN SERGEANT.
Vice President—ROBERTS VAUX.
Secretary—ANTHONY FINLEY.
Treasurer—SAMUEL SELLERS.

Board of Managers.

Philip Garrett,	John Bouvier,
Henry Troth,	Alexander Towar,
Benjamin Tucker,	Townsend Sharpless,
Joseph H. Smith,	James J. Barclay,
Isaac Barton,	Job R. Tyson,
Samuel Mason, Jr.	George Handy,
Joseph M. Truman,	Thomas Savery,
Isaac Lloyd, Jr.	John Cooper,
Marmaduke C. Cope,	Henry Farnum,
John G. Hoskins,	Isaac Hazlehurst,
Thomas Ridgway,	J. H. Willetts,
Frederic Fraley,	Joseph Cresson.

* The approach of a slow coal boat is perceptible in a Canal a mile and upwards before it comes forward.

To the Apprentices Library Company.

The Board of Managers, in the fulfilment of their official duty, respectfully report:

That during the past year nine hundred and forty-four volumes have been added to the Library, (of which number two hundred were selected from donations, and seven hundred and forty-four obtained by purchase) and four hundred and twenty-six volumes have been re-bound. The collection now consists of about eight thousand volumes, chosen with a conscientious regard to the best interests of those who use them, and embraces works in almost every department of science, literature, and useful arts. Within the same period thirty-three members have been added to the company, and seven hundred and fifty-four new applicants admitted to the privileges of the institution. The number now participating in its benefits is nine hundred and thirty-one, and about six thousand individuals are estimated to have enjoyed its advantages since its establishment. \$335 68 have been expended for the purchase and re-binding of books, and \$651 83 in defraying other incidental charges of the establishment. The department of the boys has generally been orderly, and the same zeal to acquire useful knowledge, which has been witnessed by our predecessors, still prevails amongst them. The unsettled claim of the company to a portion of the real estate of the late John Grandon, has been confided to a special committee, and measures are in progress to place the testimony relating to it on record.

The additional facilities of access resulting from the more frequent opening of the library, are believed to have secured the benefits expected from them, and obviate the interruptions which necessarily occurred, in the delivery of books by the throng of applicants.

Immediately after the organization of the Board, it was deemed advisable to call the attention of our fellow citizens to the institution in a more impressive manner than had been produced by means of the annual reports, and in an address delivered by John Sergeant, President of the company, its claims to public favour were eloquently sustained. From the knowledge of its character and objects, thus diffused, permanent good may be confidently expected. The establishment of the "*Apprentices Library*," in the year 1820, for the promotion of orderly and virtuous habits, and the diffusion of the benefits of education, gave an impulse to public feeling in favour of the great work of intellectual culture, and has been followed by the founding of other institutions of a literary and scientific character, which are now actively employed in disseminating useful knowledge: These institutions are daily strengthened by the enrolment of members from that numerous class of individuals, whose first impressions of the value of study had been drawn from our interesting collection of books; and orderly and correct deportment has followed as the necessary consequence of a cultivated mind. We have thus secured the continuance of these institutions in all their usefulness, and fostered the principles of virtue received in the elementary schools. Our institution may therefore be said to occupy a middle and very important rank in the business of education; sweetening the toils of apprenticeship, by the rich repast furnished in the works of the wise and good, and removing the tendency to vicious indulgence, which idleness too frequently induces.

As the special guardians of the *Apprentices' Library*, we would continue its claim to an endowment adequate to its extensive usefulness, and hope that the munificence of the public may place it, as far as possible, beyond the reach of that decay to which all human institutions are subject.

By order of the Board of Managers.

PHILIP GARRETT, Chairman.

FREDERIC FRALEY, Secretary.

Philadelphia, Third-month, March 11th, 1833.

"The Apprentices' Library Company of Philadelphia" in account with Samuel Sellers, Treasurer. From March 12, 1832, to March 11, 1833.

DR.	
To Balance,	\$12
To Cash paid sundry orders of the Board of Managers, viz.	
Librarian's Salaries,	265 75
Rent,	125
Book Committee,	250
Insurance on Books,	6
Room Committee, for furniture, alterations, oil, fuel, opening rooms, and attendance,	96 05
Binding Books,	85 68
Paper for Address,	\$29 34
Printing do.,	61 89
Printing Cards, Labels, &c.,	91 23
Stationary,	41 50
Serving Address and Notices,	12 00
To Balance, due Company,	14 30
	30 24
	<hr/>
	\$1029 75

CR.	
By Cash Contributions from Members,	\$617
Deduct Com. Collecting,	46 12
	<hr/>
	570 88
Donations, from Joseph D. Brown,	100
" Thomas Astley,	25
" A Citizen,	10
	<hr/>
	135 00
Of Librarian for Fines, Catalogues, &c.	116 87
1 year's int'st. Ches. & Del. Canal Loan,	\$108
" Dividends, Bank N. Amer.	20
" " Farm. and Mech. Bank,	4
" Ground Rent,	75
	<hr/>
	207 00
	<hr/>
	\$1029 75

SAMUEL SELLERS, Treasurer.

Philadelphia, March 11, 1833.

Several donations have been received since the date of the Treasurer's account, which will be noticed in the next account.

Form of a devise or bequest.

I do give, devise and bequeath to the "*Apprentices' Library Company of Philadelphia*"—

Donations and subscriptions will be received by the Treasurer, or by any of the Managers.

The Library is open Monday, Wednesday, and Friday evenings, and on Saturday afternoon and evening.

BEAVER MEADOW RAIL-ROAD AND COAL COMPANY.

The Report of the President and Managers of the Beaver Meadow Rail-road and coal company.

This company was incorporated by law, in April 1830, authorising a capital of \$250,000—with power to make a rail-road from the Beaver Meadow coal mines in Northampton county, to the Lehigh river at or above Mauch Chunk, a distance by the meanders of the stream of about twenty miles—and also, if deemed expedient, to make a rail-road from the said mines to the little Schuylkill,—at such point as might be necessary to unite with any railroad on the valley of that stream.*

*The Beaver Meadow Mines are situated on the Lausanne and Berwick turnpike, 21 miles from the latter place, near the head of a stream called Beaver Meadow Creek, which after mingling with others empties into the Lehigh on the west side about six miles above the slack water of the Lehigh Canal Navigation.

Both the routes above mentioned have been examined by an engineer: that by way of the Schuylkill is six miles from the mines to the intended termination of the Little Schuylkill rail-road at Taman End. It necessarily passes over Spring mountain, the ascent of which from the mines to the summit is _____ feet, and the descent from thence to the point of intersection with the route of the Little Schuylkill rail-road is _____ feet.

The whole distance by rail-road on this route to the head of navigation on the Schuylkill would be 83 miles; From thence by canal and slack water navigation 80 miles to Philadelphia.

The elevation on the route from the Beaver Meadow mine to Taman end is less than one half, and the distance about two-thirds of that between Carbondale and the Lackawaxen, which have been so successfully overcome by the Hudson and Delaware company. But the route by the Lehigh has been deemed preferable by reason of the greater facility of passing through a country, graded by streams of water, thereby avoiding the necessity for planes or stationary engines; also on account of the advantage of the market for coal on the Delaware, in New Jersey and New York; to which this route leads more directly and at less expense of transportation.

The original act of incorporation authorised this company to make a road on the Lehigh route, only to Mauch Chunk, at the head of the Lehigh canal. A failure to make a satisfactory arrangement with the Lehigh coal and Navigation company, as to the tolls, prevented the commencement of active operations during the summer of 1830, and at the following session of the general assembly, a supplement to the act of incorporation was passed, authorising an increase of the capital to \$800,000 and an extension of the rail-road from Mauch Chunk to Easton, a distance by the meanders of the Lehigh of about 46 miles. This route offers a continued descent from the mines (66 miles) to Easton, where the Delaware division of the Pennsylvania canal commences and runs (60 miles, to Bristol. This canal will carry boats of 60 tons burthen.

The Morris canal of New Jersey also commences at Easton, passing through the most fertile and populous part of that state to Newark.

The Delaware and Raritan canal feeder commences 25 miles below Easton, and offers advantages for the transportation of coal either down the feeder about 22 miles to Trenton or through the main stem from Bordentown to New Brunswick and New York.

These facilities of transportation to various markets, in addition to that of Philadelphia, have indicated the Lehigh route as preferable, notwithstanding its increased distance to Philadelphia. The books for the additional capital were opened at a time when the failure of coal operations had caused a general discouragement in all enterprises of that nature, and before the comparative advantages of rail-road transportation had been ascertained by experience. A sufficient sum was nevertheless subscribed to have authorised the undertaking, but the board partook too much of the general depression to make the effort. The subscriptions were therefore generally cancelled, and the principal part of the money repaid to the subscribers: Since that time, experience has more accurately determined the expense of transporting coal by rail-roads, as well as that of constructing them, and the consequent value of coal mines in their various positions.

A new subscription was commenced in November last, and a sufficient amount subscribed to assure the board that there was no longer any apprehension of failure, or even delay for want of the necessary funds. But it was found that the time limited by law for finishing the rail-road had so far elapsed, only one year of it remaining; that it was deemed inexpedient to progress with that work until further time was obtained. Con-

sequently application was made for a further supplement to the act of incorporation, which has been passed: allowing four additional years for completing the rail-road with the privilege of holding 800 additional acres of land. There is now no further obstacle to the success of this important undertaking, and measures are being taken for locating the rail-road as soon as the spring will permit, with every other preparation for active work.

It may be interesting to the stockholders who have never visited the Beaver Meadow mines to have some account of their character.

The mine is situated in a swamp at the west end of Beaver Meadow, and is believed to contain at least two hundred acres. The deposit of coal is in regular strata or veins separated by thin layers of slate.

An opening has been made on the north side of the mound, east of the creek, which presents a perpendicular breast of five feet of earth and rubbish on the top—an aggregate of veins of coal 27 feet, and of slate 3 feet. At the bottom of this mass a stratum of slate presents 10 feet in thickness,—beneath which the mine has been bored 21 feet below water level without encountering any slate or passing through the coal. It has therefore not been ascertained to what depth the mass of coal extends. As the hill rises, new veins of coal appear, laid one upon another like shingles on the roof of a house. The top of the mound is 70 feet above the swamp, and the mine can be drained 51 feet below the base of the mound. The slate is hard and easily separated from the coal. It is very certain that the quantity of coal is as great as the company could desire: and that the quality is equal if not superior to that of the best anthracite yet discovered. The veins are of different hardness and fracture, but all of them are free from impurities and of the best quality.

The great advantages of this mine consist in the comparative cheapness of working it; in its peculiar exemption from rubbish and slate admixture, and the excellence and purity of the whole mass of coal. Beaver Meadow coal is held in such estimation by blacksmiths that they haul it, in some instances 20 miles further than it could be had from other mines, for their smitheries, and uniformly speak of it as worth a dollar per ton at the mine more than any other coal they have worked. This fact was often stated very publicly at Harrisburg, by members of the Legislature from Northampton county, during the present session. There cannot be a reasonable doubt but that this coal will have a preference in the market sufficient to pay a fair profit, whenever other coal can be sold at cost.

The expense of transportation on a rail-road is an important consideration in this undertaking. This branch of improvement may be regarded as yet, almost in its infancy, but the experience of the last year has thrown much light on it. The expense of transportation with horse power, as stated in a letter from the intelligent president of the Little Schuylkill Rail-road company, [see appendix.] Wm. H. Keating, Esq. has been brought during the last season to 1½ cents per ton, per mile, by contract, on a descending track including wear and tear, oil, &c. &c. He adds that “we feel sanguine of being able next year to effect our transportation at 1½ cents per ton per mile including an allowance for wear, accidents, oil, &c.: this would apply to horse power.”

In the report of the Baltimore and Ohio rail-road company, whose officers are greatly distinguished for their minute accuracy—a statement of the comparative expense of horse and locomotive power is given, as the result of an experiment made with each for 30 days. That of the horse power was \$33 per day, and that of the locomotive performing the same work, was \$16—and one item of this last expense was \$8 for one ton of anthracite. On the Beaver Meadow rail-road, the average expense of anthracite could not exceed \$1 per

ton. With this deduction, the locomotive expense would be to that of the horse as 9 to 33; less than one-third. If then, coal can be transported on the Little Schuylkill rail-road for $1\frac{1}{2}$ cents with horse power; according to these data, it can be done with a locomotive for less than half a cent. This result, though fairly deduced from the facts, is much lower than we have ventured to expect. Our estimates are founded upon a supposed expenditure of $1\frac{1}{2}$ cents per ton per mile, for locomotive power; which must be altogether safe.

The expense of freight on the Lehigh and Delaware canals, exclusive of tolls, is now brought to one cent per ton per mile, and from Bristol to Philadelphia, 20 miles, the additional expense is $12\frac{1}{2}$ cents per ton.

The estimate from these data for delivering coal from Beaver Meadow to Bristol and Philadelphia, will be as follows—

For mining,	\$0 30
Freight on rail-road to Easton (66 miles) $1\frac{1}{2}$ cents,	1 00
Toll on Delaware division, 60 miles,	30
Freight on do do	60
	<hr/>
	\$2 20
Add for contingencies,	30
	<hr/>
Total expense to Bristol,	\$2 50*
	<hr/>
To Philadelphia, 12 $\frac{1}{2}$ cts.	
Estimated contingencies do. 12 $\frac{1}{2}$ cts.	
	<hr/>
Total expense to Philadelphia,	\$275 p. ton.

As there will be no interruption by inclined planes, it will be safe to estimate a capacity for sending to market 100,000 tons a year—this quantity will cost at Bristol \$250,000, or at Philadelphia \$275,000 the value of it at the former place, at \$4 a ton will be \$400,000, and at the latter place \$4 $\frac{1}{2}$ per ton will be \$437,500, leaving a balance of more than \$150,000 a year in favor of the company. This will be a nett gain provided the tolls from general transportation, as is believed, will defray all expenses for repairs, &c. &c.

The amount of general transportation on the Beaver Meadow rail-road can be judged of by the facilities of connection between it and the Susquehanna. An application is now pending before the Legislature for a law to authorise a rail-road from Wilkesbarre to Wright's creek on the Lehigh, a distance of 12 miles, and to extend the same if necessary, to Easton. This road may by an extension of 20 miles from Wright's creek, intersect that of the Beaver Meadow, near the mouth of Quacake creek. It is also very practicable to connect the Beaver Meadow rail-road, with the Susquehanna at Berwick, 20 miles from the mine, where there is now a good turnpike.

Immense products of grain which descend the north branch of the river, may be purchased at Wilkesbarre and Berwick in the fall, and brought by way of the Beaver Meadow rail-road during the winter season to an excellent market at the mills of Allentown, Bethlehem and Easton.

The next consideration is, what capital will be required to put this work into complete operation? Not having an estimate of an engineer, founded on late experience, on the present price of iron, or the intended economical plan of this work, it is not competent for the board to speak with satisfactory certainty on this point. Their intention is at present to construct a cheap road with a single track and turn outs, laid with wooden sills and string pieces covered with an iron rail.

* It is ascertained that coal may be transported from Bristol by sea to New York, for one dollar per ton.

The grading will be chiefly on hill sides composed of loose rock and gravel, gradually descending along the water courses, and therefore not subject to expensive deep cuts or embankments.

From the general appearance of the route, it offers remarkable advantages for a cheap and expeditious work: two or three miles at most, threaten unusual expense. There can be little doubt that such a road made through such a country where timber is cheap, and the inhabitants are altogether favorably disposed, may be made for from \$6000 to 8000 a mile. It was optional with the company to receive subscriptions for the whole capital authorised by law, or for such amount as might be thought necessary to complete their work. The latter is deemed to be the most advantageous plan, and with this view the subscription for stock has been limited to 9000 shares. It is the intention of the board, should more money become necessary, either to borrow the sum required, or dispose of additional stock for the benefit of the company, or enlarge the capital by allowing the stockholders for the time being, the opportunity of increasing their respective subscriptions, pro rata.

It is confidently believed, however, that no additional stock will ever be required—and that an inconsiderable loan will meet any contingency which can happen.

There are other aspects of this undertaking, which well deserve to be presented to the notice of the stockholders.

An act of assembly has been passed to incorporate a company to make a rail-road from Norristown to Allentown (30 miles.) The extension of the Beaver Meadow rail-road to the latter place (28 miles from Mauch Chunk,) could scarcely fail to stimulate by the offer of extensive transportation, sufficient enterprise to accomplish that work.

This done, and the Philadelphia and Norristown rail-road completed, there would be a direct and quick communication, with extraordinary facilities for transportation and travelling between Philadelphia and the adjacent region extending to the north branch of the Susquehanna. Under every circumstance, there rail-roads would engross all the business of the winter, and have a preference for a considerable proportion of it throughout the year, even if freighting can be done cheaper on canals, of which, however, there is yet no evidence that can be relied on. Upon this route, coal could be sent to market from the Beaver Meadow during the winter; in addition to the summer business done by way of the canals.

The plan of operation which remains to be considered, ought perhaps to have been first presented to the stockholders. A rail-road of 20 miles from the Beaver Meadow mine reaches the head of the Lehigh canal, which is capacious and well supplied with water at all seasons. The tolls charged upon this canal by the Lehigh Coal and Navigation company, of \$1 03 per ton for 46 miles, were so high that the Beaver Meadow company have sought relief by the extension of their rail-road to Easton. Should the Lehigh company, however, think proper to change their policy in this respect, and agree to a permanent reduction of their toll to reasonable rates; there is no feeling of rivalry indulged by this board towards that company, which would desire to deprive them of the benefit of the tolls on the Beaver Meadow coal; even though the profits arising from those tolls must tend to lessen their expenses, and sustain the coal of Mauch Chunk in more successful competition.

This company will of course, consult the interest of the stockholders alone, in any measure which may be proposed on that subject.

At the rates of toll now charged by the Lehigh com-

pany, it will cost the Beaver Meadow company to send their coal through the canal to Bristol, as follows—

Mining,	\$0 30
Rail-road to Mauch Chunk, 20 miles,	30
Toll on Lehigh,	1 03
Do. on Delaware division,	30
Freight from Mauch Chunk to Bristol, 170 miles,	1 07
	<hr/>
	\$3 00
Add for contingencies,	30
	<hr/>
	\$3 30

If the rail-road should terminate at Allentown, the expenses to Bristol will be as follows, viz:

Mining,	\$ 30
Rail-road from Beaver Meadow to Allentown, 50 miles,	75
Toll on Lehigh canal from Allentown to Easton,	22½
	<hr/>
	\$1 27½
Toll on Delaware division,	30
Freight from Allentown to Bristol, 78 miles,	78
Contingencies,	30
	<hr/>
	\$2 65½

The nett income upon 100,000 tons of coal sent to market according to the plans before suggested, will be as follows—

By the rail-road to Mauch Chunk,	m	\$ 70,000
Allentown,	50	135,000
Easton,	66	150,000

The respective expenditures will be nearly in proportion to the respective distances of rail-road. Any variation from this rule will rather be in favor of the longest roads.

It is fortunate for the operations of the company, that these plans of work do not conflict with each other and that a rail-road on the shortest distance will become an essential part of that for either of the longer distances; the work may therefore progress without waiting for a determination as to the ultimate plan to be adopted.

It may be observed in conclusion, that this minute exhibit of the affairs and further prospects of this company has been given, with a view of making known to all the stockholders such facts as will enable them to understand and protect their interests. In the hope too, that it may induce stockholders to hold their stock until a full development of the enterprize shall be made by the introduction of their coal to market.

A temporary reduction in the price of coal ought to be no cause for discouragement, when it is considered, that it cannot be permanently reduced below the cost of mining and transportation, with some addition for its value in the mine; and the Beaver Meadow coal may be mined and brought to market as cheap as any other, and when there, is worth as much more, as must ensure a profit to the company.

It will be perceived that no account is made of the proceeds of tolls on the rail-road for general transportation beyond a sufficient sum to meet the expenses of repairs of the road. There is the best reason to believe, however, that this item of income will be far above the estimate, especially if either the Allentown or Easton termination is adopted.

The whole economy of this undertaking may be comprehended in cheapening the expense of transportation, and to this object, the board promise to devote their undivided attention.

By order of the Board,

S. D. INGHAM,
President.

APPENDIX.

HARRISBURG, Jan 3d, 1833.

S. D. Ingham, Esq., New Hope,

Dear Sir,—Your favour of the 31st ultimo reached me yesterday.—In reply I have only to state that our road is exactly 20 miles long, that we had to contend this year with many difficulties, such as a new road, imperfect wagons, unskilful drivers, &c.; and that as we have not made up the accounts of the year, we cannot ascertain exactly what our transportation costs us; but that part of it was done on contract (we furnishing the wagons and I believe the oil) at thirty cents per ton or one and a half cents per ton per mile; I have reason to believe the contractors were satisfied with their bargain, having never heard any thing to the contrary. The allowance for the use and wear and tear of the wagons would we think be amply compensated by 5 cents per trip, or one quarter cent per mile per ton. Upon the whole we feel sanguine of being able next year to effect our transportation for 1½ cent per ton per mile, including an allowance for the repair and wear of the wagons, for accidents, oil &c. This would apply to horse power. We expect however to use steam power, and hope to do so with economy. But upon this point we have no experience as yet, our road is a constantly descending one with a fall of 400 feet in 20 miles, averaging of course 20 feet per mile—we use wagons which weigh about one ton, and carry when well loaded three tons, and when fully loaded about 3½ tons, on an average 3 tons. The usual load for a horse was at first three wagons, of late it has been more frequently four, especially in all cases when we employed contractors. The load was therefore descending about 16 tons (including the weight of wagons) and ascending about 4 tons, our curves are that, our road has suffered no injury from the travel.

If there is any other point on which I can communicate any information I will cheerfully do so.

I remain with respect, your ob^t. st.

(Signed) W. H. KEATING:

Extract from the Report of the President and Directors of the Baltimore and Ohio Rail-road Company—page 120.

"During the period that this road has been opened to Frederick, embracing a winter of almost unprecedented severity, the intercourse has been sustained without interruption, and the communication for passengers has been maintained with rarely any deviation from the speed of 10 miles an hour."

For the purpose of ascertaining, practically and conclusively the applicability of steam power upon this road, and with the further view of testing its comparative expense and advantages with animal power, a series of experiments was, on the 21st August, instituted and continued for the space of thirty days."

A locomotive steam engine, the "Atlantic," which had recently been constructed by Messrs. Davis and Yartner, of York, Pennsylvania, was employed for testing this important and interesting question.

This engine weighed 5½ tons exclusive of water,—it had two cylinders, of 10 inches diameter each, with a stroke of 20 inches, and in order to increase its velocity, it was geared in the ratio of 2 to 1, working on road wheels of 3 feet diameter. The "Atlantic" being intended for a high speed, its operations were accordingly directed to transportation of passengers between Baltimore and the foot of inclined planes; it passed twice over that portion of the road daily, being a distance of about 80 miles, and transported the regular train of cars engaged in that business, consisting generally of five cars, carrying, according to the extent of the current business of the day, from 50 to 100 passengers—the load weighing exclusively of the engine and tender, about 18 tons. Throughout the line, this traversed, curves are of frequent recurrence, several having a radius of 400 feet and the grade of the road, with the

exception of 18 miles, is undulating,—the extreme ratio of ascent being 47 feet per mile. The fuel was anthracite coal.

The operations of this engine were continued to the termination of the period designated for them, with the most triumphant success. The speed of 10, 12 and 15 miles, to which considerations of prudence had limited its average performance, was uniformly maintained, in extreme curves, as well as on extreme ascents;—neither of which produced any perceptible delaying effect, the steam was always redundant.

Mr. Gillingham the superintendant of machinery of this company, under whose directions the above experiments were made, has furnished the following details, viz:—During the space of the thirty days, the operations of the engine were suspended for only seven days, which were consumed in repacking the piston, and in some unimportant repairs upon the wheels and carriage; the daily consumption of water was 1700 gallons, and of coal one ton; the services of a principal and an assistant engineer were required:—producing the following aggregate of daily expenses, viz—

ACTUAL EXPENSES.

One ton anthracite coal	\$8 00
Engineer, assistant and laborer	3 50
Expense of oil and packing	50
	<hr/> \$12 00

ESTIMATED EXPENSES.

Repairs and wear of engine, and interest of its cost	\$3 00
Expenses of water stations	1 00
	<hr/> \$4 00

Total expense of engine per day \$16 00

This engine, in its daily routine, accomplished the same extent of work that, with animal power, is now performed at the following expense, viz:

42 horses, including their keep, interest on cost, their animal depreciation, harness and shoeing 50 cents per day	\$21 00
Car drivers and stable keepers 12 at	
\$1	12 00

Total expense of animal power per day \$33 00

The above statements of the comparative expense of steam and animal power, result in this single instance in a saving of \$17 per day, or of upwards of \$500 per month.

It has been shown that the Atlantic was employed in the traction of 5 cars, weighing about 18 tons, at an average speed of about 12 miles per hour. This performance has not been stated as the extent of the power of that engine; it was the speed assigned to it as being the limit of that description of business which the company required to be performed. On several occasions, much greater results were exhibited—thus a load of 30 tons, exclusive of the engine and tender, has been repeatedly drawn from Baltimore to Ellicott's miles, a distance of 13 miles within an hour—the road for 5 miles ascending from 13 to 21 feet.

The Atlantic having been constructed with reference to speed, of course a portion of its utility was merged in its velocity. Messrs. Davis and Yartner, to whose skill and perseverance this company are indebted for their first successful exhibition of steam power on their road, are, however, now engaged in the completion of another engine, formed exclusively with reference to its force of traction. This engine is expected to carry 100 tons from 6 to 8 miles an hour.

STATE LOAN INVESTIGATION.

The following is the testimony taken before the committee appointed to investigate the State Loan, in the Senate Chamber, on Thursday the 28th inst.

The following proposals for taking the whole Loan, were read.

A letter from E. Chauncey, agent for the Bank of Pennsylvania, dated March 20, 1833, offering to take the loan, and pay a premium of \$10 on every \$100 of stock.

A letter from Jesse R. Burden, dated March 20, 1833, offering to take the loan on a premium of \$12 15 on every \$100 of stock.

A letter from S. C. Chew, dated Philadelphia, March 18th, 1833, proposing to take the loan at a premium of \$12 12½ for every \$100 of stock.

These letters were all endorsed "March 20, received at 4 o'clock—rejected."

These were all that were received the 1st day.

The Secretary of the Commonwealth was then called and examined on oath.

Question by the Committee. Why were all the proposals, on the 1st day, rejected?

Answer. The Governor said that the premiums offered were not high enough; and he was disposed to get as high a premium as he could. These were the reasons of the Governor. We both concurred in the opinion that the Governor had a right to reject the proposals if he thought they were not high enough.

The Secretary here read a letter, dated March 21st, from himself, to Jesse R. Burden, stating that he was instructed to give these persons, at the seat of government, desirous of taking the loan, notice that all the proposals were rejected, and that new proposals would be received until 4 o'clock, P. M. and that such information was given to all the bidders.

Two letters were then read, dated March 21, 1833— one from E. Chauncey, agent of the Bank of Pennsylvania, offering \$13 50 premium on every \$100 of stock—the other from J. R. Burden, offering \$13 51 premium on every \$100 of stock, for the whole loan.

The letter from the Secretary of the Commonwealth to Dr. Burden, stating that his proposals were accepted, was read.

Examination of Secretary M'Kean continued.

Question by the Committee. How did you receive the proposals the second day?

Ans. About 4 o'clock I received the proposals. Mr. Chauncey handed his in first, and Dr. Burden a few minutes after. They were enveloped and sealed.

Ques. After the proposals were opened, was there any difference of opinion as to which the loan should be given—as to which offer would be considered most beneficial to the State?

Ans. After they were opened, the Governor directed me to invite them both in. They both came in—the proposals were read to them—had a little pleasant conversation on the subject. Mr. Chauncey expressed no dissatisfaction.

Ques. Had you any idea or information what would be bid by the Bank of Pennsylvania?

Ans. Not at the time. I had inferred that the Bank could not give over their first bid. I had no knowledge of what the Bank would bid.

Ques. Was there any conversation between them whether the offer of the Bank or Dr. Burden was the best for the state?

Ans. Not that I recollect at the time. The Governor appeared to be desirous to give it to the Bank. I thought so at the time.

Ques. Had you taken the trouble to ascertain whether the premium of \$13 51 on the \$100, considering the time the loan is to run, is equal to \$14 08 given last year?

Ans. I have not, but from the general view of the subject, I thought it was.

Ques. Was the time, being two years shorter, the cause of the premium being smaller?

Ans. I did not think so. It was to be attributed to the fluctuation of the market. This year it might be lower and the next year higher.

Ques. At what time is it the practice to receive the premium?

Ans. At the time the instalments are paid.

Ques. Has it been the practice to require any security of those to whom the loans are given?

Ans. It has not. Nothing has been required from individuals.

Ques. Has it not been the custom in those that apply for loans to state that they would give such a premium if a responsible bid was made by others, higher than a previous bid?

Ans. It has been the custom. It was what was called a hypothetical bid.

Ques. Do you always receive individual bids?

Ans. Always.

Ques. Do you make it your business to inquire into the situation of such individuals as to respectability and responsibility?

Ans. I conceive it to be our duty to do so, to see if the State was likely to be furnished with money when she might want it.

Ques. Has any proposal been rejected on account of the supposed want of responsibility?

Ans. I do not know. I have been absent one or more times when proposals have been opened.

Ques. Are you under any impression that the state loan might be jeopardized by giving it to an individual who is unacquainted with money concerns?

Ans. It might be so, to be sure.

Ques. From the character and standing of Dr. Burden, was it your opinion that he was, or now is responsible for this loan?

Ans. I did not consider him as acting on his own responsibility, but for others—for capitalists—as an agent.

Ques. The question is, do you consider him, from his character and standing, a responsible person for the loan?

Ans. Yes, I so considered him; but I believe he was bidding for capitalists.

Mr. Henry Buchler, Clerk in the Secretary's office, was called and sworn, and corroborated the testimony of Secretary McKean, as to what transpired in the office about the time the loan was taken.

Question by Dr. Burden. Do you recollect of my being here on a former occasion, when loans were taken?

Ans. I do—last summer, I think.

Ques. Do you recollect about my complaining about a contingent bid?

Ans. I do.

Question by Mr. Boyd. I understand that Dr. Burden has heretofore been a bidder?

Ans. He was.

Ques. Did he bid in his own name?

Ans. He did not, I think.

Dr. Burden said that who he bid for was not known.

Mr. Buchler did not know that he did bid, but he knew that he wanted to bid.

Question by Dr. Burden. Did I hand you sealed proposals at the time?

Ans. I think you did. Hypothetical bids were not forbidden then.

Question by Dr. B. Did you know that I bid, or was it only a supposition?

Ans. It was only a supposition.

The Secretary of the Commonwealth was again called.

Ques. By the committee. Was there more than one proposal by either of the applicants, and if so, by whom?

Ans. This fact must have been obtained from some other source. I have never stated it to any man living, but there were two proposals in Mr. Chauncey's letter—one within the other. The first stated that if it was accepted, the other should not be opened.

Ques. Can you state what rate of premium was offered in the first?

Ans. I cannot recollect. It was something over ele-

ven dollars premium on the \$100—eleven dollars and some cents. I handed it to Mr. Chauncey at his request.

Ques. Were such proposals ever offered before?

Ans. They have been.

Mr. James Leslie, Cashier of the Pennsylvania Branch Bank at Harrisburg, was called and sworn.

Ques. By the committee. Will you state what you know respecting the taking of the late loan.

Ans. I was aware that the bids offered the first day were all rejected, and that there were two bids offered the second day, and that Dr. Burden's bid being the highest, the loan was given to him. Mr. Chauncey was perfectly satisfied with the officers of government, and considered the transaction fair and honorable, and he requested me, if he heard any insinuation to the contrary, to repel them, and to state his entire approbation of the proceeding. He stated to me that it was impossible that Dr. Burden could have known any thing about his bid.

Ques. By Dr. Burden. Do you ever recollect an instance when loans have been taken before, where the proposals were as near as this?

Ans. I did hear of one. I believe that in one instance Mr. Chauncey has taken a loan where there was only one cent difference in the bids.

Ques. Was it the Ohio loan?

Ans. I believe it was, but I am not positive.

Ques. Did Mr. Chauncey appear to regret that he did not get the loan?

Ans. He did not. He appeared in good spirits about it.

Ques. Are not the stocks in our market regulated by the prices of stocks in Europe?

Ans. I believe they are.

Ques. What do you suppose the relative value of the present state loan to be, to those of last year, the time it is to run being two years less?

Ans. About three-fourths per cent. per year, less.

Ques. Would it not have been better for the state to have taken the bid of the Bank, rather than the bid of Dr. Burden?

Ans. It would depend on circumstances.

Ques. Would it have had a tendency to destroy competition for future loans, if it had been given to the Bank?

Ans. I would think so.

Ques. Do you know whether the Bank has lost or gained by her former loans?

Ans. I have not ascertained that definitely.

Mr. White, a director of the Bank of Pennsylvania was examined under oath.

He stated that he had conversed with Mr. Chauncey, both before and after the bids, and that he considered the whole transaction fair and honorable.

Ques. By the committee. Do you think the premium of \$13 51 on the present loan, equal to \$14 08 on the loan of last year?

Ans. I think it is about.

Ques. What effect would it have had on individual competition, had the late loan been given to the Bank?

Ans. I think it would have had the effect to destroy individual competition.

Ques. Can you tell how much of the state stock that has been taken by the Bank of Pennsylvania is now held by it?

Ans. I think about half a million.

Ques. By Dr. Burden. Was it not the general opinion that the loan was taken at as fair a price as could be got for it?

Ans. I think myself that it is a very fair price.

Mr. W. P. Farrand was called and sworn.

Ques. By the committee. Had you any conversation with Mr. Chauncey on the subject of the loan, and if so, what?

Ans. The substance of our conversation was on the amount of his offer, and that he did not get the loan.

There was nothing unfair alleged. It was only a general conversation, as he was about going out in the stage, and he seemed to think that the stock was taken high.

Ques. Had you any intention of making proposals, for the loan?

Ans. I had been authorised to make proposals.

Ques. Did you think of proposing as high as \$13 51?

Ans. I did not. Stocks had fallen in Europe about seven per cent.

Ques. What is your opinion respecting the price. Is it as high as the stock of last year?

Ans. I consider it as high taking into view the depression in Europe.

Ques. What was the cause of the depression?

Ans. The disturbance at the South. Nullification, and the agitation of the Southern states.

Ques. As far as your information goes, will stocks be permanent or varying, in market?

Ans. My information leads me to believe that they will be fluctuating.

The above was the principal or most important part of the evidence taken in the case. The committee reported in favor of the transaction, clearing all concerned from any attempt at fraud.—*Harrisburg paper.*

THE MILITIA SYSTEM.

Mr. Rogers, from the committee on the militia system, to whom was committed bill number 234 from the House of Representatives, entitled, "An act supplementary to an act passed 22d April, 1832, an act for the regulation of the militia of this commonwealth, and several supplements thereto."

Reported, That after a careful examination of the subject, they are unanimously of opinion, that it would be inexpedient to repeal the 22d and 23d sections of the present militia law, which provides for company and battalion trainings throughout the commonwealth.

Your committee forbear to go into detail upon this important subject at this late period of the session. They are, however, fully aware, that the recommendation of this subject to the attention of the legislature by the Chief Magistrate in his annual message, the proceedings of the military convention in 1832, and numerous public meetings, have been caused by the total inefficiency of the present system, and the abuses committed under it, and that a very large portion of the citizens of this commonwealth, including the military, are anxious for an entire reformation, not merely for the purpose of abolishing militia parades, which in many portions of the state are demoralizing to society; but for the purpose of giving a permanent support and encouragement to our spirited and patriotic volunteers.

It will be recollected that in the early part of the session, the chairman of the military committee reported a bill based nearly upon the same principles as the one from the House of Representatives, with the single exception that it provides for the encouragement of the volunteer system, which was pretty fully discussed and negatived.

To pass the present bill would lead to innumerable difficulties, and be very mischievous in its consequences, for while it provides for the repeal of the 22d and 23d sections, it continues in full force and effect the rest of the law providing for the pay of the Brigade Inspectors, Musicians, and numerous other incidental expenses. In addition to this, it would in a few years break down and destroy the volunteer system.

Pennsylvania has just cause to be proud of her 30,000 volunteers, who are equipt at their own expense, and who devoted their time and money in this patriotic and laudable undertaking, without any compensation, and scarcely any encouragement or protection, and it would

now seem to be an act of strict justice on the part of the legislature, promptly to give them some protection or relief, for without it, and the repeal of the two sections provided for in the bill, the inducement to volunteer would soon cease to exist.

In addition to this, your committee are of opinion that a constitutional objection would interpose, as on reference to the 20th section of that sacred instrument, it says;—"The freemen of this commonwealth shall be armed and disciplined for its defence. Those who conscientiously scruple to bear arms, shall not be compelled to do so, but shall pay an equivalent for personal service." Refraining from going into an argument upon this constitutional objection, which has been so fully and ably discussed in the Senate, at the commencement of the present session, your committee therefore report bill No. 280, with a similar title, and without amendment, and recommend it to be negatived.

Mr. Ringland, from the committee on the judiciary system, to whom was referred the petition of the *first regiment of Fayette Volunteers*, of the county of Fayette, Reported:

That they have duly considered the prayer of the petitioners, which embraces the following points:

First, that the members of said regiment may be required by law to meet for training and review four days in succession in each year, at such times and places as the commissioned officers shall appoint, and that when so met they shall perform camp duty. Secondly, that the fines may be raised to such an extent as to ensure the attendance of officers and members. And thirdly, that they may be protected from the immoral influence of intemperance by prohibiting the attendance of Suttlers.

In regard to the first part of the petition, your committee are of opinion that the regiment have power under existing laws to do that which they ask the Legislature to authorise them to do. By the latter clause of the 35th section of the act of 2d April, 1822, volunteer corps are authorised to make such by-laws as to fix on their times and places for parade and trainings, and such other matters as may be necessary for their better government, and by the 6th section of the 4th of May, 1832, it is provided, that when a regiment or battalion of volunteers shall agree to do camp duty, at least three successive days in each year, they shall be entitled to draw tents and other camp equipage. The committee therefore believe, that when a corps of volunteers agree to perform camp duty a number of days in succession, the officers have the same power to enforce their commands during the night as in the day time, and all military usage appears to sustain this opinion.

On the second part of the petition, respecting the power of raising the fines for non-attendance on days of training, your committee are of opinion that for all extra days of training over those required by law, volunteers have power by their by-laws to regulate their fines and penalties in such manner as may best promote the object of their association, and as partial legislation in such cases ought to be avoided as much as possible, the committee are not in favour of passing special laws, unless where greater inconvenience exists than that complained of by the petitioners.

The present law respecting Suttlers, if properly enforced, seems to be sufficient to prevent any immoral influence from that source, as it is in the power of the commanding officer to prohibit the sale of ardent spirits or other liquor at any parade, and by appointing such parades and encampments out of the reach of any licensed tavern, the corps themselves can prevent the existence of this evil.

The committee, therefore, submit the following resolution:

Resolved, That the committee be discharged from any further consideration of the subject.

* See page 221.

† See Reg. Vol. ix. page 43, 50.

POTTSVILLE.

MANUFACTURES.—The inducements to the establishment of manufactories in this region are so numerous and have so frequently been pointed out, that we are surprised at the backwardness of those whose interests evidently lead them to seek out the most favorable locations. It is a well-known fact that this region is peculiarly adapted and seems designated by nature for manufacturing purposes, combining in abundance and perfection the advantages of the indispensable agents, *fuel and water*—either of which may be successfully employed. The expense of procuring the first would be obviously inconsiderable, because the most inferior or refuse qualities of coal would answer all ordinary purposes. But if water power be preferred, or should it be deemed expedient or practicable to unite the two agencies, the element is close at hand, in sufficient quantities, as may be seen on several large streams in this vicinity. Of the various branches of manufactures we should suppose that those of cotton and iron, more especially the former would best succeed in this region. The transportation from the sea-board of a hundred or more bales of cotton in the course of the navigable season, could be effected at a small expense, because canal boats frequently returning empty, would demand but a low rate of freight. The cost of transportation calculated upon a yard of cotton muslin would be quite trifling, and the raw material thus obtained could be converted into cotton fabrics by means of steam power, cheaper than in any part of the eastern states.

First, because the number of hands, and especially that part consisting of women and children required by cotton machinery, would readily be supplied by the families of miners and laborers.

Secondly, because the price of fuel would be so much reduced as alike to exclude both comparison and competition. There is also a consideration to be mentioned which would materially affect the rate of wages, both in the manufacturing and coal trades: we mean the universal and constant employment which would be thus afforded to every member of a working family. This general industry would produce a proportionable diminution in the price of labor, and in this manner all parties interested would be reciprocally benefitted. And thus manufactures and the coal trade would flourish together and mutually contribute to each other's prosperity.

The next point for consideration is the demand for cotton goods, which is invariably co-extensive with the increase of wealth and population. The consumption of this species of domestic manufactures is now almost incalculable in this district, and the present ratio of consumption is rapidly augmenting. An immense district of territory extending along the shores of the Susquehanna and its tributaries, inhabited by a numerous population would, from this place, be supplied with cotton manufactures. The markets of Philadelphia, Baltimore and New York would hold out no inducements to western dealers, while an article of equal quality and on cheaper terms, could be purchased in this neighborhood. These are a few of the considerations hastily presented, demanding the serious attention of manufacturers, which sooner or later will have their natural and irresistible force and influence in converting this into a manufacturing region. In older countries similar causes have produced this result, and we should like to know what can make a difference in their operation and effect in this country? We have no hesitation in predicting that the first cotton manufactory erected in this region, whether by individual enterprise or the efforts of an incorporated Company, will enrich all of its proprietors; because the first will stand without competition. Every member of the community would feel bound to patronize it to the extent of his ability, and watch over and protect its interests.—*Miners Journal*.

CONESTOGA NAVIGATION COMPANY.

Report upon the petitions relative to annulling the charter of the Conestoga Navigation Company. Read, April 8, 1833.

Mr. M'Culloh, from the committee on the judiciary system, to whom were referred the petitions of sundry citizens of Lancaster county, praying for the passage of a law to annul the charter of "The Conestoga Navigation Company," made the following report, viz.

That it appears from the documents, that the said company was chartered in pursuance of an act of Assembly, passed the 3d of March, 1825; that the stock subscribed and paid in, (except a very small part,) amounts to \$64,800; that in the construction of the work, (which was completed in 1829,) and the necessary purchase of property, payment of damages, &c. the company have expended about \$100,000. In the progress of the work, the company have borrowed \$35,000, and have mortgaged their property, including their works for the payment of the debt. The extraordinary ice flood of 1832, destroyed some of the locks and dams, and, in the embarrassed state of the company's finances, the injuries have not been repaired as promptly as they ought to have been, and 'tis said that the creditors are proceeding to enforce payment of their debts. In this condition of the works, complaints have arisen on account of the obstructions in the fords across the Conestoga, and also from a dispute which has existed between the county and the company, on the subject of the erection of bridges over the stream; and for these reasons, the application has been made to annul the charter of the company.

Under this state of the facts the committee are of opinion that the passage of such a law, even though it should not be objectionable on other grounds, would be harsh towards the company, and unjust to the creditors. Difficulties have occurred in raising funds to repair the damages done to the works, by one of the greatest and most unusual floods that has occurred for many years: For this misfortune, the company cannot be held responsible, but are entitled rather to the sympathy and aid of their fellow citizens. It is still possible that their property may be redeemed, and that even the creditors may be induced to aid in relieving them, as perhaps the only mode of eventually recovering their debts. At all events, the committee deem it inexpedient to jeopard so many important interests, by legislating on the subject.

The committee deem the subject brought before the Legislature, by these petitions, one of deep interest, and worthy of very grave consideration, as it involves questions, not only of expediency, but of constitutional power.

Is it within the power of the Legislature, under the constitution of the United States and of this state, to take from private corporations their chartered rights, by an act of Assembly? Do not such powers more properly belong to the judiciary department, and can the Legislature, with propriety, go farther than to provide a general system, and to confer jurisdictions on the appropriate courts, for the trial of questions of forfeiture? Our constitution declares, in the language of Magna Charta, that no man "can be deprived of his life, liberty or property, unless by the judgment of his peers or the law of the land;" and for the protection of the rights and liberties of the people, the judicial department is established, distinct from the Legislature, as they both are from the Executive. Investing the "Legislative power" in a Senate and House of representatives, only (for the mere qualified negative given to the Governor, is a check, but nothing more,) it may be well doubted, whether the framers of the government ever intended, (independent of the express restrictions of the constitutions,) to confer on the Legislature the uncontrolled, sometimes called the omnipotent power of the British parliament, and whether it was not rather the design to limit it to acts of a purely legislative character. The parliament is composed of kings, lords and

commons, and possesses the whole sovereignty of the country. From the king, (in theory,) proceeds the administration of justice, through the medium of his courts, as they are called; any act, sentence adjudication of parliament, therefore proceeds from, and includes in it, the exercise of the three distinct powers of our government, viz: executive, legislative and judicial. Indeed it is declared by English writers, "that the power and jurisdiction of parliament is so transcendent and absolute, that it cannot be confined, either for causes or persons, within any bounds." That "it can do every thing not naturally impossible," that "what parliament doth, no authority on earth can undo;" that "it is the highest and greatest court of the kingdom," and if it abuses its powers, "the subjects are left without all manner of remedy." [see 1 Blackstone, 160. 161] We know it is the settled doctrine in England, that charters may be repealed or annulled by act of parliament, and probably, from this doctrine, may have been derived the idea, that our Legislature have the same power. But surely it cannot be for a moment admitted, that our Legislature possesses the attributes of sovereignty claimed by parliament, or that in this country, under our free systems of representative government, any Legislature is omnipotent, uncontrolled, or vested with despotic power. However, with all this unlimited power of parliament, it is a remarkable fact, that in England, the rights of private corporations have been respected; questions, respecting their forfeiture, have been left to the judicial tribunals, and scarcely an instance has occurred for the last century of a private corporation being annulled by statute. It has also been decided by their courts, that although the king can grant a charter by virtue of his prerogative, yet he cannot revoke or alter it, without its consent, nor can its forfeiture be declared, but by trial and judgment. [3 Burrows, 1656; 3 Term Rep, 244.]

If then the Legislature has only legislative power, (and the very fact of judicial power being specially conferred on it in cases of the trial or removal of judicial and other officers, seems to strengthen this construction,) can an act of Assembly, declaring that charters have been forfeited, and therefore they are annulled, be considered as a purely legislative proceeding? On the contrary, it is a judgment; it is, in every thing but the form, a judicial sentence; and the Legislature might, with the same propriety, pass an act, (it could not be called a law,) declaring that an individual had forfeited his life, liberty or property, and direct that they should be taken from him!

When a charter has been granted to individuals, by an act of Assembly, and they have acted upon it, and invested their property under it; the act is a contract, the obligation of which the Legislature cannot impair, as has been decided by the Supreme Court of the United States, a tribunal entitled, in every respect, and on every account, to the highest confidence of the people of this country. [See Fletcher vs. Peck, 9 Cranch; and Dartmouth college vs. Woodward, 4 Wheaton.]

In the last case, it was laid down by Judge Washington, "that the subjects of the grants were not only privileges and immunities, but property, or which is the same thing, the capacity to acquire property." If, then, the grant to corporations is property, it cannot be taken from them, according to the constitution, unless by the judgment of their peers, or the law of the land." It is, however, supposed by many legislators, without sufficient reflection, that taking away property of private rights, by act of Assembly, is doing it by "the law of the land," because it has the forms of a law: but this is contrary to the well-settled construction of those words. Such an act is not considered as a law, but as a sentence of a tribunal, acting as to the particular case, in a judicial capacity. [1 Blackstone, 44.] It includes in it all its characteristics of a judicial proceeding, except the form, and presents the curious anomaly of a legislative body judging, deciding, and depriving by

act, and that too without such a hearing as courts are bound to give. But it is well settled, that "the judgment of his peers," means the trial by jury, and "the law of the land," means some general law, a general rule operating alike on all the community, and to which every citizen must alike submit. It means, as Lord Coke says, simply "by due course and process of law." In the decision, therefore, of all questions where the rights and franchises, or property or corporations are to be affected, they are entitled to the constitutional privilege of trial by "their peers," or, "by the law of the land," in its general sense. The trite saying, "that corporations have no souls," has been much and often misapplied, and is often figuratively true: It is a very bad foundation for the pretended right to legislate away their property, without hearing or trial. A corporation is composed of individuals who have souls, and hearts, and feeling to be operated on, like those of other citizens, and entitled to the same regard. The charter only confers a convenient name, under which the individuals act, and the only advantage they obtain is, that of being responsible for no more than their subscription of stock informs the public they have invested in the establishment, whatever may be its object. The Legislature ought to be extremely cautious in the grant of charters, and perhaps they ought not to be granted, except for some purpose, to the accomplishment of which, individual enterprise is not adequate, or which is of such a general and public nature, that individuals could not be expected to engage in it. But, when granted, they should have the sacred shield of the constitution and law thrown over their rights, and they should be protected from violence, with the same care as the rights of other citizens.

With these views of the subject, the committee are of opinion, that measures should be taken to invest the courts with power to try and determine, "by due course of law," all questions respecting the forfeiture of charters by misuser, nonuser, or abuse of their privileges. The reservations in acts of incorporation, of a power in the Legislature to repeal the law, "if the corporation shall misuse or abuse its privileges," or, "if it should prove injurious to the commonwealth," can be no objection to the proposed course; for still there ought to be a competent tribunal to try the facts of abuse or misuse of the privileges, or the causes which may have rendered them injurious. It is indeed important to the public interests, that the Legislature should not be involved in judicial investigations, for which, composed as it is of two distinct bodies, and governed by no known or established rules of action or proceeding, it is by no means well calculated. Besides, if the Legislature assumes the power to hear, try, and determine such questions, it will impose duties on the members, for the performance of which they were not elected; and, with the great number of corporations now in existence, and yearly increasing, if the trials are to be had before the Legislature, it is very questionable whether the ordinary business of legislation, already so great and laborious, could be done at all. There can be little doubt, that many complaints against corporations must and will arise from various causes, some well founded, and some not; and for the sake of justice to the parties, for the sake of the Legislature itself, and to avoid the interminable difficulties and enormous expense of legislative investigation, it is important that some convenient mode of trial should be prescribed.

This view of the subject appears to have been heretofore adopted and acted upon by the Legislature; and it is with great satisfaction, the committee refer to the case of the Harrisburg canal, fire insurance and water company, as stated in the able report made to the Senate on the 27th March, 1826. [See the Senate Journal, p. 524.] In that case, although the committee were perfectly satisfied that the charter had been forfeited, and although the right was reserved to the Le-

gislature of resuming the franchises of the company, yet they recommended it to the Legislature, to leave "the rights of the company to be adjusted in the forms of law, and by the ordinary tribunals of the country." In pursuance of which, a special act was passed, directing the Supreme court to issue a scire facias and try the cause, which was done, and the charter was repealed. It is only to be regretted that a general system had not been adopted at that time.

Under our present judicial system, the quo warranto is believed to be the only proceeding known to our laws. It is a summary proceeding in the Supreme court in bank, and confined to Philadelphia, where alone that court has original jurisdiction, and therefore inconvenient and burthensome, its very difficulty and inconvenience forbid its use. It is, besides, a remedy which does not always, nor necessarily, involve the question of forfeiture of the charter, for officers may not have a right to hold their offices from personal disqualification, or other causes, which do not impair the charter, and the judgment may, or may not, turn on that question.

The other mode of proceeding in England, by scire facias, to repeal the letters patent, would seem to be the most direct and proper course, as it gives on its face notice of the facts to be tried, and furnishes ample means for settling all questions of law and fact, in the tribunals which are peculiarly appropriated to the decision of both. It is a writ, issuing out of, and returnable in, chancery; the defendants answer and plead, and if an issue of fact is formed, the chancellor is obliged to remit the records to the common law courts, for the investigation of a jury. When the facts are thus ascertained, the record is returned into chancery for final adjudication of the chancellor, who, in important cases, calls to his assistance, the judges of the other courts. [See 2 Lilly's Entries, 411, &c. 418, 4 Inst. 79. 1 Pr. Wms. 207, 1 Mad. Chan. 4, 5.] As we have no court of chancery, it is presumed that this proceeding cannot be adopted by our courts, without a species of judicious legislation which had better be avoided. But as corporations are becoming so very numerous, and finding their way into every quarter of the state, it must be anticipated that, in many instances, they may abuse their privileges, become injurious to the public, and give cause of complaint. It is, therefore, the duty of the Legislature to furnish some convenient mode of determining such questions; and with this view, if there had been sufficient time for maturing the details of a system, the committee would have reported a bill: but the press of other business, and the importance and intrinsic difficulty of settling the details of a plan, have prevented them from doing more than suggesting the outlines for the consideration of the public and the next Legislature. They therefore suggest the propriety of vesting in the courts of Common Pleas, the power of proceeding by scire facias, as is done in chancery, form the issue, try the cause, and render judgment, reserving to the parties the right of appeal or writ of error to the Supreme court; and even then to require, before a final declaration of forfeiture of the charter, the revision of the sentence by the Legislature, if deemed expedient. This limitation would protect the rights of the corporations, and enable the Legislature to re-grant their charters, if the cause of forfeiture should not be of a serious or aggravated kind. The writ ought to issue in the name of the commonwealth, on the complaint of individuals by petition to the court, setting out at length the specific charges of abuse or misuser; and to guard against vexatious and frivolous prosecutions, the complainants should be required to give security for costs. With a system of this description, the public would be protected from many evils which may arise from the injudicious or improvident grant of corporate powers and privileges. It would be well, also, to grant to the courts, the equity powers to compel the stockholders in banks and other corporations to account, and to pay the debts of

the institutions, at least to the extent of their subscriptions of stock. This power has been greatly wanted in the case, particularly of insolvent banks, as well as in some other instances.

These suggestions are respectfully submitted to the House, with the hope that they may be found worthy of attention hereafter, and result in the adoption of some more perfect plan of proceeding in the cases referred to, than now exists.

Resolved, That the committee be discharged from the further consideration of the petitions referred to them, and that the subject be referred to the early attention of the next Legislature.

The corner stone of the new church of St. Michael's in Kensington, was laid on Easter Monday, at 4 o'clock, P. M. by the Right Rev. Dr. Kenrick, assisted by the Rev. Dr. Hurley, Rev. John Hughes, Rev. Terence J. Donaghoe, (Pastor of the intended church) Rev. Jeremiah Keilly, Rev. Wm. Whelan, Rev. Nicholas O'Donnell, O. S. A., Rev. Tolentine De Silva, Rev. James Foulhowze, Rev. Francis Gartland, and four young clerks. The Trustees and building committee accompanied the procession, which was conducted with perfect order, notwithstanding the immense crowd that had assembled to witness the ceremony. After a preliminary discourse, explanatory of the ceremonies, a collection was taken up in aid of the funds, to the amount of \$225.

Its dimensions, ninety feet by sixty.

In the Corner Stone a cavity was prepared for the reception of a leaden box, containing some late newspapers, several coins of the United States of the present year, a roll of parchment on which were written the date of the ceremony, the names of the builders, the present Sovereign Pontiff, Gregory XVI., the names of the Bishop and Coadjutor Bishop of Philadelphia, the President of the U. States, the Governor of this State, the Trustees and Building Committee.

THE REGISTER

PHILADELPHIA, APRIL 20, 1833.

The present number contains a very interesting and important document which we have copied from a Glasgow paper in relation to canals and rail-roads. By this it appears that the comparative advantages of these two modes of travelling have heretofore been very fallaciously estimated. Experiments, continued sufficiently long to test the accuracy of their results, have been made. From these it would appear, that boats may travel on canals at the rate of ten or twelve miles an hour without any injury being produced to their banks, as it has heretofore been conjectured would be the case from boats moving with a greater velocity than four or five miles an hour. The very great difference of expense between the travelling on canals and rail-roads is, according to this document, a very important consideration—this, added to the gain produced by the increased velocity which may now be achieved upon canals beyond former calculations, must produce a more favourable change of opinion in regard to canals. We think in giving this paper, and others of a similar character, a place in the Register, we are promoting the interests of our state by furnishing information that may be useful in directing to a proper decision, where a question arises as to the expediency of adopting the one or the other mode of improvement.

HAZARD'S REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

VOL. XI.—NO. 17. PHILADELPHIA, APRIL 27, 1833. NO. 278.

TITLES OF ACTS PASSED SESSION 1832—33.

1. An act to enable the Governor to appoint a Notary Public in the borough of Middletown, in Dauphin county.

2. A further supplement to the act, entitled a further supplement to the act, entitled an act to alter the judiciary system of this commonwealth, passed the eighth day of April, eighteen hundred and twenty-six.

3. An act declaring that part of Pine creek, in Potter county, from the forks above Blg Elk lick, to the forks above William Ellsworth's, on said creek, a public highway.

4. An act relative to the Abington and Waterford turnpike.

5. An act to enable the Governor to incorporate a company to make a turnpike road from the Choconut creek, on the north line of Susquehanna county, to the Abington and Waterford turnpike.

6. An act to annul the marriage contract of James S. Chambers and Rose Ann his wife.

7. An act for the relief of Adam Weaver, a soldier of the revolutionary war, and Eve Gensimer, the widow of a revolutionary soldier, and for other purposes.

8. An act to enable the Governor to incorporate the Williamsburg turnpike road company.

9. An act for the relief of Abraham Shoemaker and other revolutionary soldiers; and for the relief of Christiana Clemence, the widow of a revolutionary soldier.

10. An act authorising the inhabitants of North Sewickly township, Beaver county, to elect three supervisors of the roads in said township.

11. An act to enable the Governor to incorporate a company for making a turnpike road from Coudersport, in the county of Potter, to the New York state line, in a direction of Olean Point.

12. A further supplement to an act, entitled an act authorising the Governor to incorporate the Mill Creek and Mine Hill navigation and rail-road company, passed the seventh day of February, A. D. one thousand eight hundred and twenty-eight.

13. A further supplement to the act to incorporate the Beaver Meadow rail road and coal company.

14. A further supplement to an act, entitled an act to incorporate the city of Lancaster.

15. An act for the relief of Ebenezer Kerr, present coroner of Allegheny county, and for other purposes.

16. An act to revive and continue in force the chartered privileges of the Presbyterian congregation of Waynesburg, in Mifflin county, which have been lost by neglecting to choose trustees.

17. An act for the relief of Jacob Bastian, and other soldiers of the revolutionary war.

18. An act changing the organization and extending the jurisdiction of the court of Common Pleas, of the first judicial district.

19. An act to incorporate the Belvidere Delaware bridge company.

20. An act to enable the Governor to incorporate the Harrisburg water company.

21. An act for the relief of Benjamin Jones and George Eyster, soldiers, and Catharine Weikle and Magdalena Kunkle, widows of soldiers of the revolutionary war.

22. A further supplement to the act to amend and consolidate with its supplement, an act entitled an act for the recovery of debts and demands, not exceeding one hundred dollars, before a justice of the peace, and for the elections of constable, and for other purposes.

23. An act to continue the improvements of the state by rail-roads and canals.

24. An act to preserve the evidence of title to the donation and other lands in the commonwealth of Pennsylvania.

25. An act for the relief of John Lehman, John Kitts, Matthias Ritz, Robert Wright, and Thomas Abbott, soldiers, and Christiana Wilhelm, the widow of a soldier of the revolutionary war.

26. An act altering the time of holding the courts in the eighth and fourteenth judicial districts, and for other purposes.

27. A further supplement to the act, entitled an act supplementary to the act to incorporate and endow the Pennsylvania Institution for the deaf and dumb.

28. An act for the relief of sundry soldiers and widows of soldiers of the revolutionary war.

29. A further supplement to an act, entitled an act to incorporate the district of Spring Garden.

30. An act relative to the Western and Eastern penitentiaries.

31. An act to enable Thomas Laird of the borough of Erie, to perfect his title to out-lot number four hundred and twelve, of the second section of the town of Erie.

32. An act for the entire abolition of lotteries.

33. An act for the relief of Zachariah Closson, Jacob Booz, Henry Bloss, George Swetzer, soldiers, and Elizabeth Henry, widow of a soldier of the revolutionary war.

34. A further supplement to an act, entitled an act authorising the Governor to incorporate the Mill creek and Mine hill navigation and rail road company, passed February seventh, one thousand eight hundred and twenty-eight.

35. An act for the relief of Dennis Carroll and Frederick Bruner, soldiers, and Ann Carothers and Catharine Keasey, widows of soldiers of the revolutionary war.

36. An act to erect Mifflintown in the county of Juniata, into a borough, and for other purposes.

37. An act for the relief of Jonathan Jacobs and Jacob Erb, soldiers, and Elizabeth Moser, Elizabeth Wheland, Catharine Sheely and Mary Parker, the widows of soldiers of the revolutionary war.

38. An act for removing strata of rock from the bed of the Wallenpaupack river in the counties of Pike and Wayne, and for other purposes.

39. An act for the relief of George Keller, a soldier, and Louisa Osteer and Catharine Curry, widows of soldiers of the revolutionary war.

40. An act for the relief of James Kirk, Benjamin Watson, James Curry, Thomas Henderson, Thomas Clark and Adam Lead, soldiers, and Catharine Rehr, the widow of a soldier of the revolutionary war.

41. An act to amend an act, entitled an act authorising the Governor to incorporate a company to make an artificial road, commencing where the Schuylkill canal road intersects the Ridge turnpike road near Robinson's

mill, thence along the bed of said road to the Flat Rock bridge.

42. An act authorising the inhabitants of Windsor township, York county, and of Skippack and Perkiomen townships, Montgomery county, to elect additional supervisors, and for other purposes.

43. A supplement to an act, entitled an act establishing an academy in the town of Wellsboro' in the county of Tioga.

44. An act to authorise the State Society of the Cincinnati of Pennsylvania, to enjoy a larger income.

45. A supplement to an act passed the twenty-second March, A. D. one thousand eight hundred and seventeen, entitled an act relative to suits brought by or against corporations.

46. An act to incorporate sundry fire companies.

47. An act providing for the inspection of spirituous liquors in the boroughs of Columbia and Washington, in the county of Lancaster, and in the town of Wrightsville, in the county of York.

48. An act to change the names of Sebastian Gundt, Henry Gundt, and Benjamin Gundt of the county of Northampton, and John George Gundt of the county of Bucks.

49. An act to incorporate the Philad. fire company.

50. An act for the relief of John Overturf, Thomas Burk and George Cook, soldiers of the revolution.

51. A further supplement to an act, entitled an act for the promotion of agriculture and domestic manufactures.

52. An act to prevent obstructions being placed on turnpike roads.

53. An act to incorporate the Farmers' and Manufacturers' Bank of Delaware county.*

54. An act for the relief of sundry soldiers and widows of soldiers of the revolutionary war.

55. An act relative to swine running at large in McKean county, and for other purposes.

56. An act to confer on Horatio Nelson Beaumont, Andrew Jackson Beaumont, Sarah Ann Beaumont, Louisa Beaumont, George Harrison Beaumont, John Addison Beaumont, and William M. Beaumont, the rights and benefits of children born in lawful wedlock.

57. An act to incorporate the Merchants' and Manufacturers' Bank of Pittsburg.

58. An act for the relief of Robert Campbell, Frederick Baum, James M'Dowell, Michael Rager, Job Helms and Samuel Shaw, soldiers, and Justina Weiser and Margaret Dentzler, the widows of soldiers of the revolutionary war.

59. A supplement to an act, entitled an act for laying out a state road from the bridge over the river Delaware, at New Hope, through Doylestown, over the new bridge at Norristown, Montgomery county, through West Chester, to the state line, in a direction to Baltimore, in the state of Maryland, and for other purposes.

60. An act further to extend the provisions of an act relative to the patenting of lands, passed the eighth day of April, eighteen hundred and twenty-nine.

61. A further supplement to an act authorising the Governor to incorporate the Schuylkill Valley navigation company.

62. An act to facilitate appeals by guardians from the judgments of justices of the peace, and from awards of arbitrators, and for other purposes.

63. Supplement to an act, entitled an act to continue the improvements of the state by rail-roads and canals, passed February the sixteenth, one thousand eight hundred and thirty-three.

64. An act supplementary to an act, entitled an act to incorporate the Philadelphia, Germantown and Norristown rail-road company; passed the seventeenth day of February, Anno Domini one thousand eight hundred and thirty-one.

65. A supplement to an act, entitled an act incorporating the Lykens Valley rail-road company in Dauphin

county, passed on the seventh day of April, eighteen hundred and thirty, and for other purposes.

66. A supplement to an act, entitled an act to authorise the Governor to incorporate a company for erecting a bridge over the river Susquehanna at the borough of Towanda, the seat of justice in the county of Bradford.

67. An act to authorise the surviving executors of the will of Henry Drinker, deceased, to sell certain lands therein mentioned, and for other purposes.

68. An act declaring Big Sugar creek from Goodwin's mill in Venango county, to Proper's forks in Crawford county, and the north fork of Sandy Lick creek in the county of Jefferson, from the mouth thereof to Ridgway in said county, a public highway.

69. An act authorising the prothonotaries of the several courts of Common Pleas in this commonwealth, to take security and discharge insolvent debtors from arrest, and for other purposes.

70. An act to enable the heirs of John C. Stocker, and Mary Catharine, his wife, and the trustees and devisees of such heirs, to make partition of certain lands held by them in the commonwealth, and for other purposes.

71. An act to establish the Farmers' and Traders' bank of Philadelphia.*

72. An act to incorporate the Chambersburg Insurance company, and to extend and continue the charters of sundry Insurance companies in the city of Philadelphia, and for other purposes.

73. A supplement to an act, entitled an act for the sale of the vacant lands within this commonwealth, passed 3d of April, seventeen hundred and ninety-two.

74. An act to change the name of Marquis William Twitchell to that of Marquis William Wilmot, and to confer upon the illegitimate children of John Eichelberger, the rights of children born in lawful wedlock, and legitimate the children of James Normand.

75. An act to improve the navigation of the river Youghiogheny.

76. An act to incorporate the Wyoming and Lehigh rail-road company.

77. A further supplement to the act, entitled an act authorising the Governor to incorporate the Tioga navigation company.

78. An act to authorise the Governor, to incorporate the Philadelphia and Reading rail-road company.

79. An act to establish a seminary, by the name of Haverford School association.

80. A supplement to an act, entitled an act to improve the navigation of the Susquehanna river.

81. An act to incorporate a company to make a free road from Adamsburg on the Pittsburg and Greensburg turnpike, to Peter Pool's tavern on the Robbstown and Mount Pleasant turnpike road in the county of Westmoreland, and for other purposes.

82. An act authorising the executors of the last will and testament of Peter Beisel, deceased, to vest certain trust moneys.

83. An act authorising the Governor to incorporate the Tangascootack coal company in Centre county.

84. An act for the relief of George Rees, Robert Lackey, Joseph Schnable, John Smith, and Daniel Wertz, soldiers, and Catharine Hartchey, Catharine Fry, and Barbara Murphy, the widows of soldiers of the revolution.

85. An act relating to the escheat of lands held by corporations without the license of the commonwealth.

86. An act to authorise the Governor to incorporate the Norristown and Mount Carbon rail-road company.

87. A supplement to the act regulating auctions in the city of Lancaster, and other towns of the commonwealth, passed on the 7th day of April, 1832.

88. An act to authorise the executors of the last will and testament of Jerome Keating, late of the village of Manayunk, in the county of Philadelphia, to sell certain real estate therein mentioned.

89. An act to confirm Richard Ashurst, and George Morris, in the title to certain real estate in the city of Philadelphia.
90. An act to authorise the Governor to incorporate the president, managers, and company of the Red Bank and Clarion turnpike road company, in Armstrong county.
91. An act declaring a certain part of Clearfield creek, in the county of Clearfield, a public highway.
92. An act to relieve from taxation, the real estate of Christ Church Hospital.
93. An act declaring Cheat river in the county of Fayette, a public highway.
94. A supplement to an act, entitled an act authorising the Governor to incorporate the Robbstown bridge company, passed the twenty-third day of March, one thousand eight hundred and thirty-one.
95. An act to enable Richard Johnson and others, to sell and convey certain property.
96. A supplement to an act, entitled an act relative to escheated estate, passed the thirty-first day of January, one thousand eight hundred and nineteen.
97. An act to authorise Jacob Kern, administrator of the estate of George Palmer, deceased, to sell and convey certain real estate.
98. An act to incorporate the Philadelphia society for alleviating the miseries of public prisons.
99. An act for the relief of Jonathan King, Joseph Wood, Ephraim Williams, John Ireland, George Lanenberger, and Samuel Spider, soldiers of the revolutionary war.
100. An act to authorise the canal commissioners to settle and adjust the claims of John Evans, a contractor for the construction of the Swatara aqueduct.
101. An act supplementary to an act to authorise the Governor to incorporate a company to make a canal navigation around the western abutment of the Permanent Bridge over the river Schuylkill, at the city of Philadelphia.
102. An act for the sale of certain real estate.
103. An act authorising compensation to Jacob Neifer, Isaac Neifer, Michael Scheffer, and Mary Leidecker, for damages done by a certain state road.
104. An act relative to rail-roads in the county of Philadelphia, and for other purposes.
105. An act to incorporate the Philadelphia Hospital.
106. An act relating to the election of constables for the township of Mahoning, in Columbia county, and for the borough and township of Northampton, in Lehigh county.
107. A supplement to the act, entitled an act for the improvement of the state, approved the twenty-sixth day of March, A. D. eighteen hundred and twenty-one.
108. An act to annul the marriage contract of Jehu Hatfield, and Harriet, his wife.
109. A further supplement to the act, entitled an act to provide for the erection of a house for the employment and support of the poor in the county of Dauphin, and for the house of employment and support of the poor, for the county of York.
110. An act relative to certain streets, alleys, and public landings in the county of Philadelphia, and in the city of Pittsburgh, and for other purposes.
111. An act to incorporate the People's bank of York county.*
112. An act for the relief of sundry soldiers and widows of soldiers of the revolutionary war.
113. An act authorising the Governor to subscribe stock in the Codorus navigation company.
114. An act supplementary to an act, entitled an act to enable the Governor of this commonwealth to incorporate a company for making an artificial road, from the intersection of Front street and the Germantown road in the Northern Liberties of the city of Philadelphia, through Frankford and Bristol, to the ferry at Morrisville, on the river Delaware.
115. An act authorising the laying of certain land warrants in Mercer county.
116. An act authorising the construction of a wagon road on the berme bank of sections eighty eight and eighty-nine, of the North Branch division of the Pennsylvania canal.
117. An act to incorporate the town of Freeport, in the county of Armstrong.
118. An act to authorise the Governor to incorporate a company to erect a toll bridge over Redbank creek, at or near where the road from Bedford to Franklin crosses said creek in the county of Armstrong.
119. An act to incorporate the Second Presbyterian church in the borough of Carlisle, in the county of Cumberland, and commonwealth of Pennsylvania.
120. An act to alter an act to erect the town of Erie in the county of Erie, into a borough; and to erect Waterford and Wattsburg in said county, into boroughs.
121. An act to enable John Christ to exchange certain real estate, and for other purposes.
122. An act to continue in force the several acts relative to the District court of the counties of Lancaster and York, and for other purposes.
123. An act granting the third section of the town of Erie in the borough to Erie, for the purpose of erecting a canal basin in the bay of Presque Isle.
124. An act to incorporate sundry Fire Engine companies.
125. An act relative to the West Chester rail-road company; the Mount Carbon rail-road company; the Little Schuylkill navigation, rail-road, and coal company; and the Danville and Pottsville rail-road company.
126. An act granting compensation to the legal heirs and representatives of George Poltz, for a certain tract of land situate in Salem, one of the seventeen townships in the county of Luzerne, and for other purposes.
127. An act to incorporate the Theological Seminary at Canonsburg, in the county of Washington, belonging to the synod of the Associate Presbyterian church.
128. An act to incorporate the Conneautte Library company in the county of Erie, and for other purposes.
129. An act relative to supervisors in Loyalsock township, Lycoming county, and collectors in certain townships in Fayette county, and for other purposes.
130. An act incorporating the Northern Liberties, Kensington, and Spring Garden Saving Fund Society, and for other purposes.
131. An act to erect the village of Oxford, in the county of Chester, into a borough.
132. An act to authorise John Everhart to erect a wing dam in the Juniata river.
133. An act relative to lots of ground appropriated to the use of the commonwealth, for collectors, weigh-masters, and lock keepers on the Pennsylvania canal and rail-road.
134. A further supplement to the act, entitled an act for the regulating of the militia of this commonwealth.
135. An act declaring a certain part of Shamokin creek, in the county of Northumberland, a public highway.
136. An act supplementary to an act, entitled an act to incorporate Columbia, Chicques, and Marietta road and bridge company, passed March first, one thousand eight hundred and twenty three.
137. An act for the relief of John Johnston, John Carter, Michael Fee, Osburn Hillery, Isaac Jones, and Robert Peleng, soldiers, and Catharine Kinsey, the widow of a revolutionary soldier.
138. An act to enable the trustees of the German Reformed Church, in the borough of Reading, in the county of Berks, to sell or mortgage certain real estate.
139. A supplement to an act, entitled an act to confer on certain associations of the citizens of this commonwealth, the power and immunities of corporations, or

bodies politic in law, passed the sixth of April, seven-
teen hundred and ninety-one.

140. An act for the relief of the Mount Rock Light Infantry, of Cumberland county, and Jackson Guards in Montgomery county.

141. An act to improve the state road leading from the top of the Allegheny mountain, at the White Horse tavern, in Somerset county, to Connellsville, in Fayette county.

142. An act to authorise the sale of real estate.

143. An act relative to certain school lands in Wayne township, Perry county.

144. An act to incorporate the Lycoming coal company.

145. An act to incorporate the society known by the name of the Norristown Baptist church, in the county of Montgomery.

146. A further supplement to an act, entitled an act relative to the borough of Reading.

147. An act to authorise Abraham Bombaugh, executor of Ulrich Zellner, to sell and convey certain real estate in the borough of Harrisburg.

148. An act to incorporate the Philadelphia cemetery in the township of Moyamensing.

149. An act to incorporate the Philadelphia and Fallsbridge turnpike road company.

150. An act to annul the marriage contract of Thomas Hays and Caroline his wife.

151. An act to enable the Governor to incorporate the Petersburg turnpike road company.

152. An act relating to last wills and testaments.

153. An act relating to the descent and distribution of the estate of intestates.

154. An act for the relief of soldiers of the revolutionary war.

155. An act provisionally to organize the county of Potter, and for other purposes.

156. An act for the relief of Mary Zeigler, a widow of a revolutionary soldier, and the heirs of John Thompson, deceased, of Mercer county.

157. An act to provide for the erection of an additional court within the county of Allegheny, and for other purposes.

158. An act to incorporate sundry boroughs, and for other purposes.

159. An act relative to suits in which the county of Cumberland is interested.

160. An act for the better employment and support of the poor within the township of Roxborough, in the county of Philadelphia.

161. A further supplement to the act, entitled an act to incorporate a company for making an artificial road, by the best and nearest route from Waterford, in the county of Erie, through Meadville and Franklin, to the river Susquehanna, at or near the mouth of Anderson's creek, in Clearfield county; and also to incorporate a company for making an artificial road from the town of Northumberland, in the county of Northumberland, by the best and nearest route, to the west branch of the Susquehanna River, at or near the mouth of Anderson's creek, passing through Derrstown, Youngmans town, Aaronsburg, Bellefonte, and Milesburg.

162. An act for the relief of William Wallace, William Butler, Frederick Nagle, Abraham Fiscus, Andrew Miller, David Lamb, Jonathan Potts, Robert Dunn, and John Burkhardt, soldiers, and Elizabeth Wallace and Margaretta Madeira, the widows of soldiers of the revolutionary war.

163. An act to incorporate the Pittsburg Saving Fund, and the Carlisle Saving Fund.

164. An act to incorporate the trustees of the Evangelical Lutheran congregation of St. Paul's church, in Lower Merion township, in the county of Montgomery, commonwealth of Pennsylvania, and the Lutheran German Reformed church in the village of Hempfield, in the county of Lancaster.

165. An act for the relief of George Merkle, Casper

March, John Nischner, John Reed, Conrad Rager, and Tobias Sype, soldiers; and Sarah Warner, and Jane Dawson, the widows of soldiers of the revolutionary war.

166. An act to authorise the Governor to incorporate sundry bridge and turnpike road companies, and for other purposes.

167. An act relating to election districts.

168. An act to erect the town of Dillsburg, in York county, and the village of M'Veytown, in Mifflin county, into boroughs, and supplements to the acts erecting York and Harrisburg into boroughs.

169. An act to authorise the Governor to incorporate the president, managers, and company, of the Butler and Freeport turnpike road company.

170. A supplement to an act, entitled an act to incorporate a company for making an artificial road from the Spring House tavern, in Montgomery county, and thence to the borough of Northampton, in the county of Lehigh, and to the town of Bethlehem, in the county of Northampton, and for other purposes.

171. An act to incorporate the Susquehanna rail-road company, and the Mifflinburg bridge company.

172. An act authorising the laying out of a state road from M'Clean's mill, in Beaver county, to some point at or near Perrysville, in Allegheny, and for other purposes.

173. An act supplementary to an act, entitled an act to enlarge the buildings of the state penitentiary, for the eastern district, and for other purposes, passed the twenty-eighth day of March, A. D. eighteen hundred and thirty-one, and for other purposes.

174. An act to authorise the construction of the abutments of the French creek feeder dam at Bemus's mills, so that a bridge may be erected thereon.

175. An act authorising the Governor to incorporate two companies to erect bridges over the river Schuylkill in Berks county.

RESOLUTIONS.

1. Resolutions relative to the union of the states and the constitution of the United States.

2. Resolution relative to the payment of collectors and toll-keepers on the Pennsylvania canal.

3. Resolution relative to the tariff.

4. Resolution relative to the use of the water of the river Delaware.

5. Resolution relative to the free use of the Louisville and Portland canal.

6. Resolution relative to the distribution of the public lands of the United States.

7. Resolution relative to the culvert at Hardwicke run on the Columbia rail-road, near Lancaster.

8. Resolution relative to the division line of Union and Lycoming counties.

9. Resolution relative to the Columbia rail-road, at Lancaster.

10. Resolution relative to laying rails upon the Columbia bridge.

11. Resolution relative to the payment of the costs in certain cases of supposed escheat.

12. Resolution relative to the entire abolition of lotteries.

13. Resolution relative to the repairing of the public buildings.

14. Resolution relative to the payment of lock-keepers and collectors.

15. Resolution for the relief of Isaac Griffith, late marshal of the Eastern district of Pennsylvania.

16. Resolution relative to canal damages on Grant's Hill.

17. Resolution relative to calculating interest upon mortgage in the Land office.

18. Resolution relative to the payment of certain judgments against the commonwealth, for injuries occasioned by the construction of the Pennsylvania canal.*

* Vetoed by the Governor.

19. Resolution relative to the estate of John De Pui.
20. Resolution for the relief of William B. Mitchell.
21. Resolution relative to paying interest on the first of August next.
22. Resolution for the relief of John Kelker, late deputy marshal of the Eastern district of Pennsylvania; and for the relief of Jacob Heck, late brigade inspector, 2d brigade, 11th division, Pennsylvania militia.
23. Resolution relative to the disposal of water power at Milton, Northumberland county.
24. Resolution relative to the Peninsula, at the bay of Presque Isle, in Lake Erie.

ADDRESSES.

1. Address for the removal of John Wallace, Esq. a justice of the peace of Allegheny county, from office.
2. Address for the removal of Henry O'Neal, Esq. from the office of justice of the peace of Philadelphia, now held by him.

REPORT OF COMMITTEE ON WESTERN PENITENTIARY.

Report of the committee of the Senate appointed to visit the Western Penitentiary, and report as to its present condition and discipline, and suggest such amendments as would seem necessary.—Mr. Hays, chairman. Read in Senate, January 25, 1833.

The committee appointed to visit the Western penitentiary, at Pittsburg, and report as to its present condition and discipline, and suggest such amendments as would seem necessary, report:

That they visited the penitentiary on the 25th and 27th of December last, in company with the inspectors of the prison and warden; that upon these two occasions, they made a thorough examination into its condition, and they will do the inspectors the justice to say, that in no instance have they, in the slightest degree, exaggerated their description of the deplorable condition of that institution. The building itself, from the plan adopted for its construction, has entirely failed in answering the end for which it was intended, both in relation to the inability of its officers to carry into effect the laws under which its unfortunate inmates are sentenced, and in relation to any object to be gained by the penitentiary system.

The act of Assembly of the 23d of April, 1829, enacts "That every person who shall be convicted in any court in the Western district, of any of the crimes hereafter mentioned, committed after the first days of July next, shall, instead of the penitentiary punishment heretofore prescribed, be sentenced by the proper court to suffer punishment, by separate or solitary confinement at labor, in the manner and for the times hereinafter prescribed, in the state penitentiary for the Western district, in the county of Allegheny, and for that purpose, to be removed to the state penitentiary, at the expense of the state."

In this building, it is utterly impossible that the confinement can either be separate or solitary, at labor. The whole of the building occupied, or to be occupied by the prisoners, is divided into four sections, two of which contain 50 cells each, and the other two, 36 each. There are now confined in this prison eighty-eight convicts, occupying nearly two sections. These cells are not constructed so as to admit labor in them of any kind; nor is there a yard attached to them in which solitary labor can be pursued; so that confinement is the only particular in which the foregoing section of this act, in this penitentiary, complied with, and that but partially.

Such is the construction of these cells, that it is necessary to the health of the prisoners, that there should be a communication through the whole range of them, in each section, at all times, except during the night. In the summer season it is absolutely required, for sufficient ventilation, and in the winter, to furnish heat

from the stoves to those who occupy the centre cells, one of which is stationed at each end of the section: Thus the prisoners, during the whole year, whilst they are closely confined to their cells, are nevertheless able, from this unfortunate state of things, to converse with one another, without the least restraint, and all hope that any good can arise from their confinement, entirely frustrated. To give an idea of the extent to which this communication between the prisoners is carried on, we will state the fact that during our visit, one of the committee was recognized by a convict, at one end of the section; his name, description of person, and his station, were communicated to the other end, where some others of the committee were. This, of itself, is discouraging enough to those who have the management of this miserably arranged building; but is not the only, and indeed bad as it is, not the worst feature in it.

For the preservation of health, it is necessary that the prisoners should take exercise or perform labor, which cannot be done without bringing the whole of one section together. Thus you see, in one yard, a congregation of criminals, amounting to fifty in number, of all ages, from the inexperienced youth of sixteen, to the hoary headed old convict of seventy, walking, laughing and talking together, who in this amusement, spend at least one hour each day.

Under such a state of things, then, it is impossible that the law itself can be executed: This is a radical defect, and can only be removed by a radical change in the plan of the building.

The object of punishment is reformation, not revenge, in the present state of society. Penitentiary reform, whatever may have heretofore been the opinions of speculators upon the subject, has, by late experience, been found to be perfectly practicable, and it has been discovered that it is not necessary that punishments should either be sanguinary, cruel, or even very severe, to render society, in a great measure, secure: but this reformation cannot take place where the most abandoned and wicked of the human race are afforded opportunities of associating together, forming schemes of escape and future depredations on society, when they shall have succeeded, or shall have been released by the expiration of their term of service. Religious and moral instruction can have but little effect upon minds of this description: it is not only lost upon them, but in very many instances must, with such creatures, become the subject of ridicule and derision.

Reform, therefore, in the present state of this penitentiary, if not entirely out of the question, must be of very rare occurrence. In viewing the present condition of the Western penitentiary, the philanthropist looks upon a very severe picture indeed; his exertions within those walls, in favor of either the temporal or spiritual improvement of its tenants, if not hopeless, is very desperate; for the wicked can there neither be reformed by proper instruction or by severe punishment. One of the unfortunate inmates of that prison, who has had the advantage of early education, possesses talents, and who has been and may yet become a useful member of society, declared to several members of the committee, "there was really no punishment in being there, other than that which arose from the mere idea of being deprived of personal liberty; that that soon wore off, and many of them were about as well satisfied in, as out." Without this information, we should have come pretty much to the same conclusion, from the fact that many have been sent there for the second offence.

As labor cannot be performed separately and of different kinds, nothing of much moment can there be earned by the convicts. Except the bakers, cooks, and women, the only kind of labor to which the convict can be placed, is shoemaking, or picking oakum; he can earn something by the former, but scarce any thing by the latter. In consequence of this, many of the counties of the western part of the state have large

sums of money annually to pay for the maintenance of their convicts, which has in some instances given dissatisfaction. It is due to those connected with the penitentiary, to say that, upon an examination of their accounts, the committee see no cause of complaint, other than that arising from a total failure of the whole plan. A statement of the manner of keeping the accounts with the different counties, the sum each convict is charged with for his maintenance, and the credit he gets for his labor, is herewith submitted.

The present arrangement of the buildings renders the duties of those who have the superintendence, exceedingly arduous, disagreeable, and dangerous. They are kept constantly on the alert to prevent escapes, and with all their vigilance, some have, and many more will escape. It is, under the present plan, utterly impossible to prevent it; it is only surprising, from the ingenuity discovered by those who have been detected in their attempts, that so few have succeeded.

The exceeding unpleasant duty to be performed by the officers in superintending the cleansing of the privies, is another evil, arising from the bad plan of this building, of great magnitude. It is a duty that requires the superintendence of every one connected with the penitentiary, in order to prevent the escape of the prisoners while they are engaged in removing the poudrette, which is required to be taken from the privies, in warm weather, at least once a week; and in the winter, once a fortnight. In this business, all the prisoners of the section are engaged at the same time, and the gates of the prison are necessarily thrown open, and two of the convicts at a time permitted to pass out. Desperate as these men are, they have never yet had the courage to make a rush upon their keepers; but if ever they should be bold enough for the enterprise, although some might suffer, many would unquestionably succeed. The inspectors think that this evil might be remedied by the expenditure of about eight thousand dollars, in cutting a sewer from the prison yard to the Allegheny river; this, however, might be left, with entire confidence, to their judgment and discretion.

The committee would here observe, that it is exclusively the plan of the building that is the subject of such universal complaint. It will bear comparison in its mechanical construction, with any other building of the same kind in the country.

Small appropriations have, from time to time, been made by the Legislature to remedy the defects above set forth, but the inspectors have been so fully convinced that nothing short of a total change of the system would in the least degree answer the purpose, that they have made use of no more than was actually necessary for repairs. Of these appropriations there remains now in the hands of the treasurer of the board of inspectors, \$6058 16½. There is no necessity for any alteration in the outer walls or buildings of the penitentiary, but your committee are decidedly of opinion, that nothing short of taking down all the cells and re-constructing the whole interior of the building upon the plan of the Eastern penitentiary, will answer any useful purpose.

From the report of the Board of Inspectors, the warden, and physician of the Eastern penitentiary, it will be perceived that the system there adopted approaches more nearly to perfection, than probably any one now in existence. In very many instances, indeed, reformation has taken place; and where that has failed, a dread of the punishment produced by experience, has driven the perpetrator of crimes from that to other regions, to indulge in his vicious propensities; and it is not presuming too much to say, that unless separate and solitary confinement with labour, is introduced into the Western penitentiary, it will become the receptacle of a large portion of those who have been discharged from the Eastern. The inspectors state, as a fact going very far to show the successful operation of the system there adopted, that not one convict has as yet ever returned to it.

Your committee recommend the adoption of the plan of the Eastern penitentiary, as giving to the citizens of the west greater security, doing justice to the convicts by giving them opportunities of reflection upon their past conduct, religious instruction, and consequent reformation, and as proving, in its final results, a much more economical system.

Your committee cannot say with certainty, for they could not find any correct data to go upon, what the whole expense of the change recommended would be, but they have been induced to believe it would not far exceed, if any, one half that of erecting the cells of the Eastern penitentiary. It is calculated that nearly all the stone, brick, door sills, iron, and a variety of the other materials of which the old cells are composed, will answer for the new ones; and it is thought too, that many of the convicts may be profitably employed in constructing them. In the Eastern penitentiary, the cells cost about \$600 each; in the western, they will cost about \$300 each.

About 211 cells, it is supposed, will be necessary, which will cost at the above estimate, \$63,300; from this deduct \$6058 16½, now in the hands of the treasurer of the board of inspectors, and the amount necessary to complete the proposed alteration will be \$57,241 84, exclusive of the expense of cutting the sewer before referred to, of which only about \$20,000 could be judiciously expended during the present year; and it is supposed a greater appropriation than \$25,000 will not be wanted any one year until the whole is completed.

The inspectors deserve the greatest commendation for the assiduity with which they attend to the unpleasant duties assigned to them, under so many discouraging circumstances. Every experiment has been tried by them to remedy, in as great a degree as possible, the great evils attending the present system, each of which has resulted in the most mortifying failure. When it is recollected that these gentlemen are devoting their time and talents to this great object without the slightest remuneration, it is only astonishing that under the many disappointments they have met with, they can be prevailed upon to continue in office.

The present warden of the penitentiary is a gentleman admirably adapted to the office for which he has been chosen; his duties are probably more arduous and require closer application, than those of any other individual holding a similar office in the United States; he is, however, equal to them all; he possesses great decision of character, combined with correct business habits; his discrimination enables him to exercise a sound discretion in knowing when severity is required, and when indulgence may with propriety be granted. Upon the whole, all agree that he is a most valuable and faithful public officer.

As the petitions upon this subject have been referred to the committee on the judiciary system, your committee will conclude with the expression of a hope, that they will as speedily as possible report a bill for such an appropriation as will place the Western penitentiary on a footing, in all respects, with the Eastern. They therefore offer the following resolution:

Resolved, That the committee on the judiciary system be instructed to bring in a bill in conformity to the foregoing report.

Statement of the amount charged to each county for keeping its convicts in the Western Penitentiary of Pennsylvania, together with the amount accredited each county for the labour of its respective convicts, during the year 1832.

Allegheny county.

Francis M'Intosh, picking oakum,	\$9 71	\$55 31½
George Brooks, do.	9 71	54 43½
Abraham Middough,		8 42½
Thomas Scott, shoemaking,	9 16	9 17½

Samuel Harris, picking oakum, 1 73	60 00½
Henry Williams, do 6 25	40 51½
James Fleming, do 6 94	65 56½
Julian Smith, sewing, 425,	7 02½
John Barnes, picking oakum 4 86	33 76½
John Doran,	11 90
Allen Severs,	15 16½
Joseph H. Worrall,	13 15
Lyman Chaffee, picking oakum, 6 94	42 46½
Joseph Cochran,	7 80
Francis A. Stratton, picking oakum,	
2 43, jail general account, 17 25	57 90
Charles Woods, picking oakum,	
2 43	36 32½
Joseph C. Logan, do. 6 25	40 70
Joseph Wilson, do. 4 86	57 95
James Thompson, do. 4 86	67 31½
John Greenawalt, do. 6 94	42 52½
Silvanus Ward, do. 6 94	63 12½
Samuel Chambers,	15 41½
George Lloyd, shoemaking, 68 48	57 31½
George H. Read,	22 05
Susan Walls, washing, 10 75	71 93½
David M'Carthy, picking oakum,	
4 86	56 75
Samuel Staley, picking oakum, 6 94,	
jail general account, 11 25	72 37½
Dennis Howard,	17 07½
Robert Smith,	21 92½
Rowland Purdie,	25 77½
George Jenkins,	21 90
Owen Lynch,	13 87½
David Keyser,	4 10
David Codner,	4 10
	<u>\$1177 11½</u>

CR.

By labour of convicts—	
Picking oakum,	92 65
Shoemaking,	77 64
Jail general account,	43 50
	<u>213 79</u>
Balance due penitentiary,	<u>\$963 32½</u>

Mifflin county.

Isaac Bracks, picking oakum, \$13 88,	
jail general account, 7 50	\$72 75
Patrick Reyley, picking oakum,	
9 71	68 87½
Barnard Haney, do. 9 71	62 25
John Lee, do. 13 88	66 12½
John Roney, do. 4 86	72 43½
George Lindsay, do. 1 73	34 72½
	<u>\$377 16½</u>

CR.

By labour of convicts—	
Picking oakum,	53 77
Jail general account,	7 50
	<u>61 27</u>
Balance due penitentiary,	<u>\$315 89½</u>

Huntingdon county.

Samuel M'Pheron, picking oakum,	
\$9 36	59 37½
James Stephens, do. 1 73	32 47½
Jacob Young, do. 6 94	64 43½
Thomas M'Kinne, do. 4 86	63 06½
John Hanson, do. 10 41	62 75
Thomas Carroll, do. 6 94	67 00
Francis Morang, do. 9 55	71 43½
Thomas Creyton, picking oakum,	
4 86, jail general account, 14 25	54 48½
Revad Taylor,	15 25
Daniel Metler,	15 12
Joseph Reed,	10 30
	<u>515 69½</u>

CR.

By labour of convicts—	
Picking oakum,	54 65
Jail general account,	14 25
	<u>68 90</u>

Balance due Penitentiary, \$446 79½

Cambria county.

James Donohoe, picking oakum,	173
	48 75

CR.

By labour of convict—picking oakum,	1 73
	<u>\$47 02</u>

Beaver county.

Samuel M'Caskey, picking oakum,	\$1 39	\$30 86½
Ebenezer Smith, do 1 39		27 42½
Peter Vroom,		28 42½
Wesley Wilson,		43 65
William V. Smith, do 12 14		66 30
John Findley, do 6 94		66 50
Wm. Carothers, do 9 71		57 86½
		<u>\$320 72½</u>

CR.

By labour of convicts—picking oakum,	31 57
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Balance due penitentiary, \$289 15½

Crawford county.

Charles S. Walters, picking oakum,	\$3 12	13 90
Ira M. Gordon, do. 3 12		33 37½
Joshua Pennell, do. 6 94		58 87½
		<u>106 15</u>

CR.

By labour of convicts—picking oakum	13 18
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Balance due penitentiary, \$92 97

Westmoreland county.

Julius Van Laer, picking oakum,	\$1 73	\$25 32½
Robert Fleming, do 12 14		68 56½
John Hole, do 6 94		44 15
Lewis M. Cavet, do 9 71		70 00
Acheson M'Murray, do 9 71		60 87½
		<u>268 91½</u>

CR.

By labour of convicts—picking oakum,	40 23
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Balance due penitentiary, \$228 68½

Washington county.

John Pierce, picking oakum, \$1 73	\$53 78½
Mary Smith, washing, 6 25	14 60
George Atkinson, picking oakum,	6 94
	66 75
Jonathan P. Stewart, do. 6 94	67 06½
Robert W. Fleming, shoe-making, 76 50	54 56½
Joshua Davis,	16 85
	<u>273 61½</u>

By labour of convicts—	
Picking oakum,	15 61
Shoemaking,	76 50
Jail general account,	6 25
	<u>98 36</u>

Balance due penitentiary, \$175 25½

<i>Venango county.</i>			Jail general account,	25 25	66 52
Spencer Edwards,	\$20 95				
Thomas H. Prather, picking oak-			Balance due penitentiary,		\$263 48
um, \$1 04	28 85				
Rachel Stevenson, washing, sew-			<i>Indiana county.</i>		
ing, &c. \$30 50,	66 13½	\$115 93½	James Patterson, picking oak-		
CR.			um, \$9 35	\$42 45	
By labour of convicts—picking			Peter Bruner,	20 72½	
oakum,	\$1 04		Archibald M'Cullough,	20 35	83 52½
Jail general account,	30 50	31 54	CR.		
			By labour of convict—picking oakum,	9 35	
Balance due penitentiary,		\$84 39½			\$74 17½
<i>Bedford county.</i>			<i>Centre county.</i>		
Henry Nottingham, picking oak-			Leslie Ramsey, pick oakum, \$6 34	\$48 62½	
um, \$1 73, shoemaking \$12 92,	\$24 70		Burree Burr, shoemaking, 79 30	32 93½	
William Jones, picking oakum,			Wisely Gonsalus, picking		
\$1 73,	23 38½	48 08½	oakum,	6 94	
CR.			Shoemaking,	4 84	60 75
By labour of convicts—picking			John M'Intire, picking oakum, 9 71	70 12½	
oakum,	3 46		George Butler, do	6 94	67 40
Shoemaking,	12 92	16 38	Jacob Knecht,	16 72½	326 56½
			CR.		
Balance due penitentiary,		\$31 70½	By labour of convicts—picking		
<i>Butler county.</i>			oakum,	30 53	
Matthias Brackney, picking oak-			Shoemaking,	84 14	114 67
um, \$2 43,	70 56½				\$211 89½
Wesley Wilson,	9 17½	79 73½	Balance due penitentiary,		
CR.			<i>Armstrong county.</i>		
By labour of convict—picking oakum,	2 43		Abraham Anderson, picking oakum, \$1 73,	44 72½	
Balance due penitentiary,		\$77 30½	CR.		
<i>Erie county.</i>			By labour of convict—picking oakum,	1 73	
Henry Selter, picking oakum, \$2 43	\$28 82½		Balance due penitentiary,		\$42 99½
Henry Burgess, do	9 71	61 50	<i>Warren county.</i>		
Jacob Mattocks, jail general			Milo Pomeroy, shoemaking, \$63 80,	\$66 00	
account,	3 12½	6 20	CR.		
Orange S. Thompson, pick-			By labour of convict—shoemaking,	63 80	
ing oakum,	9 71	66 06½	Balance due penitentiary,		\$2 20
Austin Clarke, do	9 71	65 30½	<i>Mercer county.</i>		
Jeptha T. Preston, do	9 71	65 56½	Lester Moore, picking oakum,	\$2 08	
Elisha Blake, do	6 25	35 70	Jail general account,	3 50	\$19 65
James S. Chambers, do	6 94	17 47½	CR.		
Orrin Harper, do	6 94	45 72½	By labor of convict—picking oakum,	2 08	
William Wait, do	6 94	43 35	Jail general account,	3 50	5 58
		435 70½	Balance due penitentiary,		\$14 07
CR.			<i>Somerset county.</i>		
By labour of convicts—picking			James Clarke, picking oakum, \$9 71,	59 81½	
oakum,	68 34		CR.		
Jail general account,	3 12½	71 46½	By labour of convict—picking oakum,	9 71	
			Balance due penitentiary,		\$50 10½
Balance due penitentiary,		\$364 24	<i>United States.</i>		
<i>Fayette county.</i>			William Rice,	\$0 60	
James Hemlick,	\$0 75		Christian Weirich, picking oak-		
Edward Tissue,	10 12½		um, \$12 14,	63 37½	63 97½
Alfred Crable, picking oak-			CR.		
um,	\$12 14	63 75	By labour of convict—picking oakum,	12 14	
William C. Woods, do	9 71	62 87½	Balance due penitentiary,		\$51 83½
Ephraim Douglass, jail gene-					
ral account,	25 25	63 87½			
Jeremiah Wilson, picking					
oakum,	9 71	63 12½			
Thomas Johnson, do	9 71	65 50			
		330 00			
CR.					
By labour of convicts—picking					
oakum,	41 27				

RECAPITULATION.

Whole amount of expense for keeping convicts,	\$4,761 84½
Whole amount of credit—	
Picking oakum,	\$485 47
Shoemaking,	315 00
Jail general account,	133 87
	934 34
	\$3,827 50½

In the foregoing statement, the entries for shoemaking, picking oakum, &c. first opposite the convict's name, show the amount of each prisoner's credit respectively, and for what labour the credit is given. The respective credits of the prisoners are not deducted from their respective accounts. The sums opposite the convict's name, in the last columns, show the whole expense of his maintenance during the year 1832. The whole amount of credits given to a county are added together, and taken from the whole amount charged to that particular county, and the balance due by the county given below.

LIVERPOOL AND MANCHESTER RAIL-WAY.

SECOND HALF-YEARLY MEETING.

REPORT.

LIVERPOOL, 23d January, 1833.

The Directors, in submitting to the Proprietors a detailed statement of their accounts for the half year ending 31st December, 1832, have great satisfaction in being able to report that six months' further experience, has completely proved the applicability of the Rail-way to all the great objects for which it was designed, and thus more fully established the substantial prosperity of the concern: and the directors have the greater confidence in making this observation, inasmuch as their conclusion is founded, not merely on a favourable balance of account, exhibiting the profitable issue of a successful season, but on the broad and general result of the concern, notwithstanding much heavier disbursements than were anticipated, especially in the repairs of engines, and notwithstanding very diminished receipts in the most prominent, and what has sometimes been deemed the only profitable branch of the undertaking.

In their last report, the directors had to notice a falling off in the receipts of the Coaching department, up to the 50th June, 1832, owing to the prevalence of Cholera in Dublin, and its first appearance in Liverpool and Manchester. Up to that date, however, the influence of this malignant epidemic had been comparatively inconsiderable. During the next three months, its injurious effects on the trade of the town, and on the business of the rail-way, by curtailing personal and commercial intercourse with other parts of the country, was far more serious. For the quarter ending 30th September last, the receipts in the coaching department, were less by £15,000 than in the corresponding quarter of the previous year: on the other hand, however, and to set against this formidable deficiency, the company have had the benefit of a steadily increasing trade in merchandise and coals. The value to the rail-way of these great branches of traffic is no longer a matter of speculation; and it will be gratifying to the proprietors to be assured that the success of their undertaking depends not on any single branch of business—but that each of the great divisions of the concern—the transit of passengers, of merchandise, and of coal, will severally and largely contribute to the revenues of the company.

Tons.

The quantity of merchandise conveyed between Liverpool and Manchester in the six months, ending 31st Dec. last, was 61,935

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To different parts of the road, including the Warrington and Wigan trade,	6,011
Quantity between Liverpool and Bolton,	18,836
Total quantity of merchandise moved along the line,	86,842
Total quantity of coal from various parts of the line to Liverpool,	31,511
To Manchester,	8,429
Total to Liverpool and Manchester,	39,940
Total number of passengers booked in the company's offices,	182,823
The number of trips of thirty miles performed by the locomotive engines with passengers,	3,363
Goods,	1,679
Coals,	211
	5,253

From the above statement it will appear, that in the quantity of merchandise conveyed between Liverpool and Manchester, there is an increase, as compared with the preceding half year, of 7,821 tons.

In coals conveyed to Liverpool and Manchester, there is an increase of 10,484 tons.

In passengers, as compared with the preceding half year, an increase of 8701 persons booked, but compared with the corresponding six months of the year ending 31st December, 1831, a decrease of 73,498.

The following is the statement of the receipts and disbursements for the half year; and subjoined is a table in the usual form, exhibiting a detailed classification of the disbursements, with the amount of the same per ton and per passenger conveyed—also, for the purpose of comparison, the corresponding table for the preceding six months.

HALF YEAR ENDING 31ST DECEMBER, 1832.

Receipts.

Coaching department,	£43120 6 11
General merchandise,	34977 12 7
Coal department,	2804 3 4
	£80902 2 10

Expenses.

Bad debt account,	£81 6 0
Coach disbursements, comprising guards and porters' wages, 1173l. 19s. 6d.—parcei carts and drivers' wages, 375l. 14s. 4d.—materials for repairs, 464l. 1s. 9d.—men's wages, repairing, 613l. 18s. 1d.—gas, oil, tallow, &c. 232l. 11s. 7d.—duty on passengers, 983l. 19s. 1d.—stationary, and petty expenses, 414l. 19s. 7d.	4261 3 11
Carrying disbursements, comprising salaries, 1822l. 13s. 2d.—porters' &c. wages, 3925l. 7s. 4d.—gas, oil, tallow, cordage, &c. 296l. 11s. 7d.—repairs to jiggers, trucks, stations, &c. 398l. 3s. 11d.—stationary, and petty expenses, 540l. 13s. 5d.	6983 9 5
Coal disbursements,	27 2 10
Cartage, (Manchester,)	2744 18 7
Charge for direction,	295 1 0
Compensation, (coaching)	209 15 11

Compensation, (carrying)	150	19	11
Coach office establishment, comprising salaries, 556l. 3s. 10d.—rent and taxes, 73l. 15s. 2d.	631	19	0
Engineering department,	450	0	0
Interest,	4555	15	7
Locomotive power, comprising fuel and watering, 3348l. 10s. 8d.—oil, tallow, hemp, &c. 661l. 1s. 9d.—materials for repairs, 3723l. 9s. 7d.—men's wages, repairing, 3352l. 16s. 2d.—engine and firemen's wages, 1060l. 11s. 6d.	12,646	9	8
Law disbursements,	118	3	8
Maintenance of way, comprising wages, 3675l. 16s. 5d.—blocks, sleepers, chairs, &c. 2355l. 17s. 1d.—ballast, &c. 846l. 10s. 9d.	6878	4	3

Office establishment, comprising salaries, 623l. 18s. 0d.—rent, 85l. 0s. 0d.—stationary, 18l. 9s. 0d.	727	7	0
Police establishment,	902	16	5
Petty disbursements,	66	2	0
Rent,	1246	5	0
Stationary engine and tunnel disbursements, comprising coal, 209l. 15s. 3d.—engine and brake-men's wages, 316l. 7s. 5d.—repairs, gas, oil, tallow, &c. 326l. 14s. 7d.	852	17	3
Taxes and rates,	3483	18	2
Wagon disbursements, comprising smiths' and joiners' wages, 583l. 0d. 5d.—iron, timber, &c. 350l. 12s. 10d.—canvass, paint, &c. for sheets, 31l. 0s. 0d.	964	13	3
	48,278	8	10

Nett profit for six months, £32,623 14 0

1st JULY to 31st DECEMBER, 1832.

Disbursements apportioned under the different Heads of Expenditure.

	Per Passenger Booked.	Per Ton of Merchandise L'pool & Manct.	Per Ton of Coal.	Per Ton on Bolton Tonnage.	Coaching Department.	Merchandise Department.	Coal Department.	Bolton Tonnage.	TOTALS.
	s. d.	s. d.	s. d.	s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Disbursements in the merchandise department, consisting of portorage, salaries, carting, stationary engine, &c., disbursements.		3 5		0 2½		11593 4 9		184 19 8	11778 4 5
Disbursements in the coaching department, comprising portorage, salaries, repairs, duty on passengers, &c. &c.	0 6½				5102 18 10				5102 18 10
Portorage, &c. in the coal department, after deducting amount received for weighing coal.			0 0½				27 2 10		27 2 10
Locomotive power acc't, proportioned according to the number of trips of 30 miles in each department, comprising repairs of engines, wages, coke, &c. &c.	0 10½	1 2½	*1 1½		8096 8 4	4042 3 7	507 17 9		12646 9 8
Sundry disbursements, proportioned according to the receipts as between the coaching and merchandise departments, and according to the number of tons and miles conveyed, as between the Liverpool and Manchester, and Bolton trade, comprising maintenance of way, police, and gate establishment, general office establishment, &c. &c.	0 6½	1 0	0 2	0 8	5030 4 10	3444 7 4	327 2 5	635 19 9	9437 14 4
Rates and taxes, interest on loans, and chief rents, proportioned according to the amount of profit in each department, calculated exclusively of these items of disbursement.	0 7½	0 11½	0 2½	0 1½	5515 1 1	3197 4 8	430 5 10	143 7 2	9285 18 9
Total disbursements.	2 7½	6 6½	*0 7½	1 0	23744 13	12277 0 4	1292 8 10	964 6 7	48278 8 10
Nett profit.	2 1½	3 3½	0 9	0 7	19375 13 10	11232 12 6	1511 14 6	503 13 2	32623 14 0
Gross receipts.	4 8½	9 10½	1 4½	1 7	43120 6 11	33509 12 10	2804 3 4	1467 19 9	2 10

* As the charge for locomotive power was incurred only on about one-fourth of the quantity of coal on which tonnage is charged, the total disbursements per ton on the whole quantity will not correspond with the addition of this column.

DISBURSEMENTS

Apportioned under the different Heads of Expenditure.

	Per Passenger Booked.	Per Ton of Merchandise Liverpool & Manchester.	Per ton of Coal.	Per Ton on Bolton Tonnage.	Coaching Department.	Merchandise Department.	Coal Department.	Bolton Tonnage.	TOTAL.
	s. d.	s. d.	s. d.	s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Disbursements in the merchandise department, consisting of portage, salaries, carting, stationary engine, & tunnel disbursements, &c.		4 0		0 3½		11605 15 6		213 5 2	11819 0 8
Disbursements in the coaching department, comprising portage, salaries, repairs, &c. (including 1½d. per passenger for omnibuses, for three months.)	0 7½				5669 14 9				5669 14 9
Portage, &c. in the coal department, after deducting amount received for weighing coal.			0 0½				26 8 10		26 8 10
Locomotive power acc't, proportioned according to the number of trips of 30 miles in each department, comprising repairs of engines, wages, coke, &c.	0 7½	1 7½	0 9		5450 9 7	4648 9 9	483 16 10		10582 16 2
Sundry disbursements, proportioned according to the receipts, as between the coaching and merchandise departments, and according to the number of tons and miles conveyed, as between the Liverpool and Manchester, and Bolton trade, comprising maintenance of way, police and gate establishment, general office establishment, &c.	0 7½	1 4	0 2½	0 10½	5376 6 9	3867 0 0	304 3 7	655 12 2	10403 2 6
Rates and taxes, interest on loans, and chief rents, proportioned according to the amount of profit in each department, calculated exclusively of these items of disbursement,	0 7½	0 9½	0 2½	0 4½	5260 10 6	2324 3 0	308 13 3	264 1 8	8157 8 5
Total disbursements.	2 6½	7 8½	1 2½	1 6½	21957 1 7	22445 8 3	1123 2 6	1132 19 0	46658 11 4
Nett profit.	2 1	2 9½	0 3½	1 2½	18087 3 0	7991 5 10	1061 5 0	908 0 11	28048 4 9
Gross receipts.	4 7½	10 6	1 5½	2 9½	40044 14 7	30436 14 1	2184 7 6	2040 19 11	74706 16 1

Amongst the occurrences of the last half year may be mentioned the recent commencement of the new tunnel, from the vicinity of Wavertree lane to the Haymarket, which is now proceeding in a satisfactory manner, according to the contract which has been entered into for the execution of that work.

The Wigan branch rail-way, forming a junction with the Liverpool and Manchester, at Parkside, was opened in September last, for the conveyance of goods and passengers. The quantity of goods hitherto conveyed has been inconsiderable, there is reason to expect, however, that this trade will increase. The number of passengers booked from Liverpool and Manchester to Wi-

gan, is 3052, a considerable portion of which, however, before the opening of the Wigan line, were conveyed by rail-way to Newton, and were carried forward by the public coaches to Wigan; still, the directors look forward to the Wigan trade eventually forming a valuable addition to the resources of the company.

The timber trade now constitutes an important item in the general business of the concern: 2297 tons have been conveyed to Manchester in the last five months, and the Directors anticipate a further increase of business in this department, due accommodation for the unloading of timber having been provided at the Manchester end.

ABSTRACT OF THE RETURNS

From the different departments of the total number of agents, clerks, overlookers, and workmen, receiving salaries or day's wages, in the service of the Company, for the week ending 31st December, 1833.

	No. of Agents, Clerks, and Overlookers.	No. of Engine Men, Guards, Laborers, &c.	Salaries and wa- ges per week.			Total per week.			TOTAL.		
			£.	s.	d.	£.	s.	d.	£.	s.	d.
<i>Carrying Disbursements.</i>											
Manchester End, per Mr. Green.....	20	132	152	6	3						
Do. Mr. Dixon.....	—	15	14	11	7	166	17	10			
Liverpool End, per Mr. Comber.....	12	60	85	17	3						
Do. Mr. Allcard.....	—	3	2	13		88	10	3			
									255	8	1
<i>Stationary Engine and Tunnel Disbursements.</i>											
Liverpool End, per Mr. Allcard	—	5	—	—	—	—	—	—	5	2	9
<i>Coach Disbursement.</i>											
Manchester End, per Mr. Green.....	5	17	26	14	5						
Do. Mr. Dixon.....	1	1	2	11	3	29	5	8			
Newton Bridge, per Mr. Purves.....	—	2	—	—	—	2	16	0			
Liverpool End, Mr. Ellwood.....	3	2	7	10	11						
Do. Mr. Williams.....	2	20	26	11	7						
Do. Mr. Allcard.....	1	16	20	10	8	54	13	2			
									86	14	10
<i>Maintenance of Way.</i>											
Liverpool End, per Mr. Allcard.....	2	62	—	—	—	67	9	1			
Manchester End, per Mr. Dixon.....	2	77	—	—	—	72	9	11			
									139	19	0
<i>Locomotive Power.</i>											
Liverpool End, per Mr. Allcard.....	1	83	—	—	—	112	13	8			
Manchester End, per Mr. Dixon.....	2	50	—	—	—	73	15	4			
									186	9	0
<i>Wagon Disbursements.</i>											
Liverpool End, per Mr. Allcard.....	—	7	—	—	—	8	12	3			
Manchester End, per Mr. Dixon.....	—	3	—	—	—	3	12	0			
									12	4	3
<i>Coal Disbursement.</i>											
Liverpool End, per Mr. Allcard.....	—	4	—	—	—	—	—	—	4	7	2
<i>Engineering Department.</i>											
Mr. Stephenson.....	3	—	—	—	—	—	—	—	23	1	7
Mr. Dixon.....											
Mr. Allcard.....											
<i>Police and Gate Establishment.</i>											
Liverpool End, per Mr. Allcard.....	—	24	—	—	—	22	10	8			
Manchester End, per Mr. Dixon.....	—	14	—	—	—	12	12	6			
									35	3	2
<i>General Office Establishment.</i>											
	6	1	—	—	—	—	—	—	24	5	11
Total.....	61	598							772	15	

The directors have alluded to the charge for repairs of the locomotive engines continuing heavier than was anticipated. They will freely confess that in this branch of their expenditure, they have met with unexpected discouragement, and with difficulties which they have not yet been able to overcome. The principal items of excessive expenditure in this department, have arisen from the frequent renewal of the tubes and fire places, which in most of the engines have been found to burn very rapidly away. To this general result, however, there have been some exceptions; for the company have engines, which have run between 20 and 30 thousand miles, with very inconsiderable repairs, either to the fire places or tubes. In mechanical operations what has been effected, may be effected; the directors therefore, feel confident, that the difficulty is not insurmountable. Their attention is unceasingly turned to the subject—they are making experiments on the material of the tubes and of the fire places (with reference to the

heat to which they are exposed,) and on the circulation of the water in different portions of the boiler. They earnestly invite the attention of scientific men to the subject; and they assure the proprietors that they are resolved not to desist from their efforts till they have accomplished their object.

The directors have deemed it necessary to advert more particularly to this point, because much misapprehension has existed on the subject, and it has even been gravely asserted that it was the intention of the company to abandon the locomotive engine, and resort to horses. In such reports, which appear in some quarters to have been very industriously circulated, the directors have reason to believe there is much wilful misrepresentation: but as a correct estimate of rail-ways, with particulars of the mode of working them, has become a national object, and one of great public interest, the directors will state, once for all, that they have not, and never had, any intention of employing horses

on the rail-way; that the locomotive engine at the present moment, even with its imperfections, is beyond comparison the most eligible, indeed the only efficient moving power. That great improvements have already been effected in its construction, and that these improvements they have no doubt will go on, till the efficient parts of the machine shall be rendered still more perfect, and till its present defects shall be in a great measure, if not altogether, remedied. Future undertakings will reap the benefit of the experience which will thus have been purchased (unavoidably at a high price) by the company of the Liverpool and Manchester rail-way.

The total amount of capital stock created from the commencement to the 31st of December last, whether in shares or by loan, is £1,024,374, every farthing of which has been expended on the works: the particulars of each item being duly registered in the company's books. The proprietors have divided out of the nett profits of the concern up to the 30th June, 1832,

£112,040 12 6

And the directors are about to recommend a further dividend, for the half year ending 31st December, last, of

33,468 15 0

Making a total of realized profits, out of the working of the concern, and altogether independent of the capital invested, of

£145,509 7 6

being for a period of about two years and a quarter.

It only remains for the directors, in reference to the preceding statement of accounts, to recommend to the meeting a dividend of four guineas per share, out of the nett profits of the concern for the six months ending 31st December, 1832, the same to be payable in cash on Tuesday the 5th of February next. The proprietors will perceive that the amount of profits for the half year is

£32,623 14 0

Add to which the surplus in hand over and above last dividend,

1,538 5 1

Making, £34,161 19 1

A dividend of £4. 4. will amount to £33,468 15. 0. leaving a surplus of £693. 4. 1. to be carried to the next half year's account.

CHARLES LAWRENCE, Chairman.

The report having been read, the following resolution amongst others was adopted by the meeting:

'That a dividend be now made out of the clear profits for the half year ending 31st December last, payable on the 5th February next, to the several proprietors after the rate of £4. 4. per share of £100, and so in proportion for the several shares of £25 each, and that the same be advertised accordingly.

CHARLES LAWRENCE, Chairman.

GOVERNOR'S VETO

Upon "the resolution relative to the payment of certain judgments against the commonwealth for injuries occasioned by the construction of the Pennsylvania canal."

MESSAGE.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen—I have read with attention the "Resolution relative to the payment of certain judgments against the commonwealth for injuries occasioned by the construction of the Pennsylvania canal," and much as I should deprecate a course of proceeding on the part of the commonwealth, or its officers, at variance with the wise and just provision of the United States, which declares that "private property shall not be taken for public use without a just compensation," or that would vexatiously or wantonly delay individuals who have just claims for damages sustained in consequence of in-

juries done to their property by the public works of the state—still I cannot divest myself of the opinion that the state has rights also that are equally entitled to the care and protection of those entrusted with the government of its affairs, with those of its citizens individually: I cannot, therefore, give my assent to a legislative act by which the state shall be denied the privilege of defending its rights before the tribunal to which it has appealed for a fair and impartial decision of the suits enumerated in the resolution, and be charged in the very summary manner pointed out by that legislative act, with the whole amount of their claims mentioned, without an opportunity of showing their exorbitance or injustice.

Returning to the last report of the board of canal commissioners, I find that their predecessors, on the ninth of June 1829, directed the acting commissioners upon the Eastern division to cause the principal part in amount of the unsatisfied judgments against the commonwealth in the Common Pleas of Dauphin county, to be removed to the Supreme Court. It appears, further, by the same report, that the board, on the 25th day of September, 1830, having viewed the premises, made an attempt, under the provisions of the sixth section of the act of 6th April, 1830, to compromise the cases depending in Dauphin county, or a number of them; and with a view to put an end to litigation, offered larger sums to the claimants in the spirit of compromise, than they themselves believe to be a fair compensation for all the injuries sustained, which attempt, with the exception of a single case, proved abortive. The board state as the ground for directing the causes which by some neglect of the acting commissioner had not been removed under the order of the board of 1829, to be removed during the last year; that the judgments, as they express it, were not legal judgments, and that they were satisfied that the amount awarded in a number of cases, exceeded a fair valuation of the injuries sustained by the parties, when the advantages of the canal are taken into consideration, and was much greater than the amount paid and agreed to be paid to others in like circumstances, and that the payment thereof, would be making unfair distinctions between citizens claiming compensation for similar injuries. It appears, therefore, from what has actually taken place, that there has been no disposition on the part of the officers of the general ment to protract litigation; offers of compromise were made and rejected, and believing, as the board of canal commissioners did, that the damages in most of the cases were excessive and exorbitant, and that the interests of the commonwealth required an appeal to the only tribunal to which they could apply for a just decision between the parties, as faithful officers and guardians of the public interests in this behalf, they made their appeal, and having full confidence in the tribunal to which they have appealed, that justice will be done as well to the commonwealth as to the claimants, I feel desirous that the cases enumerated in the resolution, should remain where they are now pending, in order that they may receive a fair and impartial trial and adjudication. I feel myself constrained, therefore, to withhold my approval of the said resolution, and have directed the same to be returned to the House of Representatives, in which it originated, with the reasons for my dissent, for the further action of the General Assembly thereon, should they deem it expedient.

GEO. WOLF.

Harrisburg, April 8th, 1833.

The resolution was then again taken up in the House, and negatived, yeas 27, nays 32.

VETO

Upon "The bill to incorporate the People's Bank of York county."

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

Gentlemen—From as strict an examination of the

merits of the bill entitled "an act to incorporate the People's Bank of York county," as the pressure of important duties during the limited period which it has been before me for consideration, would permit. I cannot discover any thing which would materially distinguish it from those for the establishment of the Farmers' and Mechanic's Bank of Delaware county, and the Farmer's and Trader's Bank of Philadelphia, which I have recently returned with my objections to the House of Representatives. Referring, therefore, in general terms, to the objections contained in my communications accompanying the bills just mentioned, I have directed the bill in question to be returned, without my approval, to the House of Representatives, in which it originated, for the further consideration of that body.

GEO. WOLF.

Harrisburg, April 8, 1833.

The House of Representatives then proceeded to reconsider the bill, which was negatived, yeas 21, nays 37.

METEOROLOGICAL REGISTER.

Extract from the Meteorological Register, taken at the State Capitol—Harrisburg, Pennsylvania,

BY JAMES WRIGHT, Librarian.

FEBRUARY, 1833.

Days of the Month.	Days of Week.	Morning temperature.	Noon temperature.	Even. temperature	Mean temp. of day	WINDS.
<i>Thermometer.</i>						
1	Friday	17	23	27	22	N W
2	Saturday	23	28	30	27	N W
3	Sunday	27	32	31	30	N
4	Monday	25	34	35	31	N
5	Tuesday	35	43	40	40	S E
6	Wednesd	38	39	30	36	N W
7	Thursd'y	30	28	28	25	N W
8	Friday	22	31	35	29	W
9	Saturday	32	52	53	46	W
10	Sunday	34	53	52	46	W
11	Monday	37	57	54	36	N E
12	Tuesday	34	40	48	41	N E
13	Wednesd	37	36	36	36	N E
14	Thursd'y	32	35	37	35	W
15	Friday	22	30	30	31	N E
16	Saturday	29	45	42	39	N W
17	Sunday	35	45	42	41	N W
18	Monday	42	50	52	48	W
19	Tuesday	46	55	50	50	S W
20	Wednesd	45	55	50	50	W
21	Thursd'y	25	32	35	31	W
22	Friday	33	47	47	42	N W
23	Saturday	37	54	54	48	N W
24	Sunday	36	56	55	49	N E
25	Monday	23	26	25	25	W
26	Tuesday	25	37	40	34	S
27	Wednesd	40	44	34	39	N W
28	Thursd'y	26	52	29	29	N E

Thermometer.

Maximum on the 19th,	-	-	-	50°
Minimum on the 1st	-	-	-	22°
Difference	-	-	-	28°
Mean	-	-	-	37°
Time of observation, 9 o'clock, A. M., 1 and 5, P. M.				

Atmosphere.

Days of the month.

1 2 4 9 10 14 17 22

23 26

6 8 16 25

5

7 21 17

12

13

11 15 28

24

3 18 19 20

Morning Afternoon.

10 days Clear Clear

3 days Clear Cloudy

1 day Cloudy Clear

3 days Cle. blus., Cle. b.

1 day Cloudy Rain

1 day Rain Rain

3 days Snow Snow

1 day Clear Snow

4 days Cloudy Cloudy

Days of the Month.

Wind.

3 4

11 12 13 15 24 28

5

26

19

8 9 10 14 18 20 21 25

1 2 6 7 16 17 22 23 27

2 days N

6 days N E

1 day S E

1 day S

1 day S W

8 days W

9 days N W

On the 20th at noon, Thermometer at 56° the highest. On the 1st in the morning, at 70° the lowest. Range 39°.

The wind has been seven days east of the meridian, eighteen days west of it, two days north, and one south.

There was rain on the 12th, and 13th. Snow on the 11th, 15th, and 28th. High winds on 3d, 6th, 7th, 21st, 24th, and 27th. Mean temperature of this month, 1° colder than January.

From Watson's Historic Tales.

SETTLEMENT OF NORRISTOWN.

This place now so numerous in houses, is a town wholly built up since the war of independence. At that time, it was the farm of Job Bull; and his original farm house is now standing in the town, as the inn of Richard Richardson.

As early as the year 1704, the whole manor, as it was then called, which included the present township of Norristown, was sold out by Wm. Penn, Jr. for £850.—From Isaac Norris, one of the purchasers, the place has since taken its name.

The original settlers about the neighbourhood of Norristown, Sweeds Ford, &c. were Swedes, who were much inclined to settle along the bank of the Schuylkill, and like the Indians, to make free use of their canoes for travelling conveyances. The Swede's church not far off was much visited by worshippers going there in boats; and in still later times, when horses became a means of conveyance, it was common for a man and woman to ride together on one horse, the woman wearing for economy "safe guard petticoats," which they took off after their arrival, and hung along the fence until again required.

There are still remains before Norristown nearly fronting the ford of a long line of redoubts, made by the Americans under the direction of Gen Du Fortuel, to defend the passing of the Ford against the British approaching from the battle of Brandywine, and which had the effect to compel them to pass six miles higher up the river at "Fatland Ford." Some of the cannon in an angle of the redoubt have since washed into the river bank, and may at some future day surprise a discoverer.

It was on the river bank at Norristown, that the first spade was set to excavate the first public canal attempted in the United States! This should be remembered! It was indeed abortive for want of adequate funds as well as economy; but it tested the early spirit of enterprise of our leading citizens—acting a few years in advance of the age in which they lived. This fact in connexion with the MS. account of Mr. John Thompson,*

*See Register, Vol. 1, page 237.

B. A. M. Schull.

of Delaware county, of his early adventure in a boat, the White Fish, by a navigation from Niagara to Philadelphia, by the water courses in New York state; showing before hand the practicability of the Grand Canal of New York, are so many instances of our early efforts in the "Canal system!" The boat, after so singular a voyage, was laid up in the State-house yard, in the year 1725, and visited as a curiosity. A sight of the boat, and a knowledge of the facts connected with it, is supposed to have prompted President Washington, at that early period, to write his conviction of the practicability of a union of the waters of the lakes with the ocean. A subject, happily for all, now no longer a problem.

DEFERRED ARTICLES.

WASHINGTON MONUMENT.—At a meeting of the Delegates for the erection of a Monument to the memory of Washington, held at Independence Hall, on the 2d April, the following gentlemen were elected the Executive or Building Committee, viz:

- John Sergeant

Thomas Cadwalader

Nathan Bunker

Walter R. Johnston

John Swift

Nicholas Biddle

David Paul Brown

Joseph Cloud
- Joel B. Sutherland

Horace Binney

Daniel Groves

John Barclay

Robert Patterson

Mathew Carey

Lawrence Shuster.

Published by order of the General Delegation.
W. P. SMITH, Secretary.

Extract of a letter to the editor of the United States Gazette, dated

LEBANON, April 6th, 1833.

Dear Sir—The following is the amount of the tonnage of the descending trade on the Union Canal, which has passed this place, from the 23d March, till the 8th of April, viz:

		Tons.	Cwt.	Qrs.
9387 bbls. flour,	weighing	994	0	0
25,445 bushels wheat,	do	636	2	2
629,526 feet of lumber,	do	629	10	2
Shingles, iron, coal, butter,				
Leather, whiskey, Pork,&c. do		657	18	1
	Tons,	2917	11	1

Annexed is a statement of the different articles of loading which descended the Union Canal, and passed this place during the last week, ending April 5th, viz:

		Tons.	Cwt.	Qrs.
4468 bbls. flour,	weighing	425	11	0
21,193 bushels wheat,	do	529	16	2
224,780 feet of lumber,	do	224	15	2
Sundries, consisting of shingles, iron, coal, whiskey, leather, butter, &c.	do	320	7	0
	Tons,	1500	10	0

The amount of tolls taken during the last week at this place on the descending trade alone amounted to \$2305 35-100. There was also transported up the canal last week, upwards of 618 tons merchandize, plaster, fish, &c. which is comparatively small to what will be going up in the course of a week or ten days, when the ascending trade is more actively commenced and thoroughly under way.

FIRST BOAT FROM PHILADELPHIA, BY THE CANAL.

The first boat direct from Philadelphia to Columbia, Lancaster county, left M. Jas. A. Bolton's wharf, Wood street, yesterday morning, loaded with merchandize, for Messrs. Eagle & Cross, of Columbia. Thursday morning, April 4th. U. S. Gaz.

COLUMBIA, April, 13. 1833.

On Tuesday evening last, arrived at this place, the Union Canal boat, CORDELIA, of Reading, Frill, master, in seven days from Philadelphia,—via Union canal to Middletown, thence down the Pennsylvania canal—with merchandize to Dominick Eagle. The Cordelia is the first and only boat that ever arrived at this place from the city through the canal. We understand that another boat, with merchandize to the same firm, left Philadelphia on Thursday. Ten years ago the idea of an artificial water communication between this and Philadelphia, would have been looked upon as a chime-
ra of the brain—and unworthy of attention.—Spy.

RAIL-ROAD.—The contracts for laying the rails on the Columbia and Philadelphia rail-way have been allotted to the following gentlemen. Each section embraces a length of two miles, and the plan adopted by the commissioners in giving to no contractor or company more than one section is worthy of commendation, as the work will thereby be greatly expedited, and brought to a termination much sooner than it would if the whole line was in the hands of three or four persons. Section two, commences at the top of the inclined plane near this borough.

Sections. Contractors.

- 2 Wilton, Durkee, Houston & Waters.

3 Michael Burk.

4 Flynn & M'Kinley.

5 Hart & Davis.

6 Sullivan & Kephard.

8 Brady & North.

9 Shultze & Caldwell.

10 David Wilson.

11 Gearhard & Seaburg.

12 Joseph Mosher.

13 Elliott & Ball.

14 William Parsons.

15 R. R. & M. English.

16 J. & E. Appleton.

17 Michael Malone.

18 M'Cullough, Anderson & Gibson.

19 Merrill & Kolket.

20 Packard & Stens.

21 J. & E. M'Govern.

22 Gallaher, Camyges & Co.

23 R. J. & B. M'Gram.

24 Hunt, Parke, & Co.

25 R. Winslow.

26 Joseph Pirntup.

27 G. & P. Boyer.

28 J. M'Cartney.

29 Somers & Marara.

30 Jeremiah Pratt.

31 B. Cornelius.

Columbia Spy.

HIGH WATER.—There is now a most tremendous fresh in the Susquehanna. The ice passed off without doing any damage to the public works, but it is apprehended that the overflowing of the banks of the canal by the high water, may yet injure the embankment in some places to a considerable extent. In many places the river is now over the bank, and is still rising. Our

merchants are busy preparing to start with their produce to market as soon as the water falls to a proper pitch over the river navigation, and in a few days the present wild display of drift wood on the surface of the stream will be succeeded by a grand display of rafts and arks laden with the products of industry and enterprise, wending its way to market under the direction and control of our Susquehanna water-men.—*Dan. Inl.*

WILKESBARRE, (Penn.) April 5.

COURT.—Our Court commenced its session on Monday last. The number of litigants is immense, and what is much to be regretted, criminal prosecutions have augmented to an alarming extent, so much so, that in all probability the civil list will not be reached. What a vast amount of time and money would be spared if Justices of the peace were permitted to take cognizance of minor transgressions! In several states, the Legislature have made enactments to this effect, and the benefits have been too signal to escape observation. Pennsylvania in many respects, is at least fifty years in the rear of reform, a circumstance which is too humiliating to her moral and intellectual greatness.—*Susquehanna Democrat.*

The following are the weights of the beef of six cattle slaughtered by the Messrs. Woelppers, in Philadelphia, on Tuesday last. They were fed by Mr. Joel Pennock, of this county.

Light brindle,	1630
Black,	1540
Dark red,	1408
Dark brindle,	1350
Dun,	1266
Small red,	1256

8450 lbs.

West Chester paper.

The canal commissioners have appointed Gen. Wm. B. Mitchell, Superintendent of the Columbia and Philadelphia rail-road in the place of John Barber, Esq. resigned; and E. F. Gay, Esq. late principal engineer on the Juniata division, Pennsylvania canal, chief engineer on the Philadelphia and Columbia rail-road, in the place of Major Wilson.—*Id.*

LOCOMOTIVE ENGINE.—The new Engine built by the West Point Foundry Association, at New York, has been placed on the Philadelphia, Germantown and Norristown Itail Road, and after severe and repeated trials has been found completely to answer the expectations of the managers. Two Engines are now in successful operation on this road, and their continual passing and re-passing each other, with their trains of cars at great speed, afford a spectacle at once highly novel and interesting to our citizens.—*American Sentinel.*

Another New Town.—Messrs. F. & J. Church, two very enterprising citizens, have laid off into town lots, a portion of that valuable tract of land, lately owned by Apollos Woodward, Esq. adjoining the borough of Williamsport, and immediately upon the canal basin.

Another.—These gentlemen have also purchased Abbot Green's farm, so beautifully situated on the bank of the river immediately at the cross cut opposite our rival city of Lewisburg. This tract the Messrs. Churches are dividing off into Town Lots: and in a short time we expect to see this place becoming a thriving village.—*Miltonian.*

DROVES.—Captain Rees who attended the gate at the west end of the Harrisburg bridge has politely furnished us with the following account of drove cattle that passed the bridge from west to east, from April 1, 1832, to April 1, 1833. It does not include beef cattle,

either of the cow, sheep, or hog kind, brought to this town for slaughter, or horses passing in any other way than in droves.

Horses,	2,167
Cattle,	13,544
Sheep,	32,839
Hogs,	6,470

This exhibits an immense trade in live stock between the west and the east, passing through this town; but besides a great number of droves come down the Juniata turnpike, and cross the bridge at Clark's Ferry, of which we have no account.—*Har. Chronicle.*

YORK, (Penn.) April 9, 1833.

SHAD.—have been brought to this place from the lower end of the county in considerable quantities. The river having fallen, has afforded a fine opportunity to those engaged in the fisheries to take the funny tribe in numbers without much difficulty. Shad had been selling at 14, 16, and 20 cents each, and some at 25.

SHAD.—The first shad in the Susquehanna, this Spring, appeared in our market yesterday, April 3. We believe they were taken and brought to this market on the same day of last year.—*Har. Chronicle.*

Died, the 4th ult. Mr. Daniel Campbell, of Little Beaver Township, Beaver county, Pennsylvania, aged 85 years. He emigrated to America about the commencement of the Revolutionary war, and participated in the glorious struggle for our National Independence. He was a lineal descendant of John Duke of Argyle, Main and Fingal; and when he came to this country, brought in his train Duncan M'Arthur, late Governor of Ohio. The old Heroes of the West, and those who were his neighbor, can properly appreciate his worth.

THE REGISTER.

PHILADELPHIA, APRIL 27, 1833.

The last report of the Liverpool and Manchester rail-way will be found in the present number.

Several new Churches are being erected in the city. The corner stone of the "Central Presbyterian church" was laid on Monday last, at the corner of Eighth and Cherry streets. The Rev. John M'Dowell, D. D. of Elizabethtown, N. J. has been invited to become pastor.

The corner stone of a new and very large Episcopal church, at the corner of Cherry and Twelfth streets, was laid with the usual ceremonies, on Thursday.

The Second Presbyterian church, corner of Third and Arch, have invited Rev. Jno. M. Harris, to become pastor: and the Fifth Presbyterian church have elected Rev. Mr. Joel Parker, pastor, in place of Rev. Dr. Skinner, now professor at Andover.

James Page, Esq. has been appointed by the Post Master General, Postmaster in this city, in the place of Thomas Sergeant, Esq., to take effect May 1st.

A meeting was held on Thursday evening, to consider the propriety of making a collection for the sufferers by the fire at Cumberland, Md.—and a committee of twelve appointed to nominate persons in each ward to solicit contributions.

REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

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PHILADELPHIA, MAY 4, 1833.

NO. 279.

REPORT ON INTERNAL IMPROVEMENT.

Report of the Grand Committee appointed to investigate the present system of Internal Improvement, and a supplementary report from a minority of the committee.

The Grand Committee, raised "to investigate the present system of Internal Improvement, and ascertain whether any deficiencies exist as to the mode of carrying on our Canal and Rail-road operations," report:

That they have been assiduously engaged, since their appointment, in the performance of their duties. The investigation was commenced, agreeably with what was believed a fair construction of the resolution on the subject, with a determination to confine it to the mode of operation, and practical details of the system, now in force, for carrying on the public works. All inquiry into the official conduct of the agents of the state, except so far as was necessary to conduce to the above result, was avoided.

To obtain light on this important subject, every thing within the knowledge and reach of the committee, was anxiously resorted to. The power given by the House to send for persons and papers, was freely used, in all cases in which valuable information might result from it; a full examination was entered into of the different grades of state officers, on the various lines of canal and rail-road, most of whom attended before the committee voluntarily. Finally, an examination, as close as the time of the committee would allow, was made of the various reports and documents on file relative to the system of internal improvement.

From all these sources, as from information on the subject, possessed by the members of the committee, coming as they do, from every portion of the state, enough knowledge, it is believed, has been obtained to warrant the committee in forming some general conclusion relative to the more important features of the system.

Before entering on this branch of their duty, it is but proper to remark, that the attempt which has been made to gain a knowledge of all the details of our vast system of internal improvements, has fully proved the truth of the saying, "that the first lesson of knowledge is conviction of the extent of former ignorance." After having spent weeks in examining this subject, the confession that nothing but a knowledge of its mere outlines has been obtained, is inevitable. From this limited degree of information, or rather this ignorance in the committee, of the details of the system, it became unavoidably necessary to take much on trust—to receive such information as those better acquainted with the subject were willing to give, or to grope in the dark. This remark is made, not to accuse any one of intentionally misleading, but to prevent blame attaching to the committee, for making an imperfect investigation, when a more full examination might have given a different result to their labors. It is quite probable that the committee frequently had before them persons in possession of information material to the subject, which was not brought out, owing to ignorance of the fact on the part of the committee, or a delicacy in the witnesses to volunteer testimony of an unpleasant character.

One other remark, in this connexion the committee feel compelled to make. In every stage of the investigation, they were met by facts, showing that, as at present organized, the board of management of our public works is an engine of almost unlimited power. Discretionary power, they are well aware, should be given to every executive officer: Without it, his efforts to perform his official duties become paralyzed. But prudence forbids that he should possess more than is actually necessary to their full performance. When the vast influence is contemplated which must, of necessity, belong to officers having annually the expenditure of two, three, and four millions of dollars—the appointment and removal, at pleasure, of a host of inferior agents, in every section of the state, with salaries running up to two thousand dollars—and the absolute control which they exercise over the bestowing of all contracts, the mind is naturally struck with an idea of the danger which may arise from it, and asks, whether it is all absolutely necessary to the accomplishment of the object of their appointment. From this state of things, it also naturally results, even though no corrupt influence be exerted, that it will ever be extremely difficult to detect whatever defects may exist in the operation of such an engine. Power ever dazzles into blindness to its faults, those who may be under its influence, or unconsciously awes them into a conviction of its perfection.

From the great influence and complicated character of the system, it becomes apparent that frequent and close scrutiny into its operations, is a duty which the Legislature owe to the people, whose feelings and rights are continually subject to its control; and that when imperfections are made to appear in its nature or action, they should be promptly and effectually remedied. To this, their more immediate duty, the committee now return.

Our system of internal improvement is indeed to supply the wants, increase the happiness, and raise the whole moral condition of the people. That it may progress to a successful state of operation, and have this desirable effect, it is altogether necessary that public confidence should sustain it.

But from the deception that was practised upon the people, at the commencement of the system, the great excess of the actual expenditures over the original estimate, from undertaking at the same time several distant and unconnected improvements of great magnitude, and from the imposition of additional taxes that have become necessary, the committee have reason to believe, that our system of internal improvement has suffered in public estimation. It has been proved to the committee, that the estimate of the cost of at least one branch of our canal improvement, made by the engineer, was by him reduced to one half the amount ascertained by his calculations, because, as was alleged, the work never would be authorised, if the true estimate was known to the legislature. No evidence has been offered to the committee to prove, nor have they any reason to suppose, that any deception of this nature has been practised, either by or under the present board of canal commissioners, neither do they apprehend a similar occurrence hereafter.

Though the intentional misrepresentation of the pro-

bable cost of our public works is no longer made, for the purpose of enlisting public opinion in its favor, still a great disparity does in some cases exist, between the estimated and the final cost of the state improvements. This is accounted for, by the public agents, on the ground of the great haste and inaccuracy with which the original surveys and estimate were made, of frequent and extensive changes of the routes when the final locations were determined, of earth slips and many other unforeseen causes of increased expense. These causes no doubt, frequently occur, and may sufficiently account for the excess in the expenditures over the estimates. "But earth slips and other unforeseen causes" are what every engineer should anticipate, and in his estimate make allowance for, "and frequent and extensive changes in the routes" never would have become necessary had the original surveys been made by skillful and experienced engineers. "The great haste and inaccuracy with which original surveys and estimates were made" affords no palliation, but rather an additional ground for censure. These surveys and estimates were made for the purpose of ascertaining the practicability, and the probable cost of our internal improvements, and upon these was to be predicated the action of the legislature. It was all important, therefore, that they should have been made with the greatest accuracy and deliberation.

In the accounting, auditing, and disbursing departments, it is believed that the details of the system are as well arranged, as the nature of the duties to be performed will admit. The committee are informed, and believe, that not a single dollar has been lost to the commonwealth since the organization of the system, by the failure or fraud of any disbursing officer. Each person into whose hands money of the public passes for disbursement, is obliged to give sufficient security to the full amount of the sum entrusted to him. The checks in this department appear to be admirable, while its duties are exceedingly simple. The superintendent pays all accounts and estimates presented to him, which have been regularly made out and duly certified by the proper officers of the engineer department. His accounts are again submitted to the secretary of the chief auditing officer of the commonwealth, and if they prove to have been regularly formed, certified, and passed by the inferior officers, and all in conformity with the statutes on the subject, are allowed. This process is simple and safe, but it throws the control over the amount of money to be paid out, into the hands of the engineering department. In this department a sufficient responsibility does not appear to prevail.

Here, a close examination of the subject will show, that with the exception of making contracts and appointments, all the power of the system rests. The chief engineer, appointed by the board of commissioners, directs all surveys, and on this recommendation, final locations are made. He forms plans for the construction of the works; makes out specifications and directions for its prosecution, and in fact has the entire direction of the nature, location, and prosecution of the improvement. The commissioners, it is true, may control him on all these points, but it is believed, rarely exert that power. In this they no doubt act correctly. Professional men are the best judges of their own business.

Next in grade to the chief engineer, are the principals, assistant, and sub-assistant engineer; and strange as it may sound, the committee are fully borne out in saying, that as we descend in the rank of officers, the amount of power vested in each, increases—the principal assistant has generally assigned to him a division of the line of canal or rail-roads from twenty to thirty miles in length, upon which are two sub-assistant engineers. His duties are to see the direction of the chief engineer observed, to consult with the sub-assistant in cases of difficulty, and to decide such cases, and to examine, when he may think it necessary, all calculations and

measurements made by the latter. His duties are supervisory, as those of the chief engineer are merely directory. But the powers and duties of the sub-assistant are greater and of more importance than those of either, inasmuch as he possesses the immediate management of the work, and the actual control over the expenditure of it. He makes all measurements and calculations, superintends the construction of all work—decides the quality, and of course the price of all material removed in the formation of the improvement, controls the operations of the contractor, and ascertains the amount of money due to him; and finally, is the person in whose hands the property, rights, and feelings of the landowner are placed.

In all cases, it is true, that they are under the supervision of the chief engineer and his principal assistants, and that if doubt or difficulty arise, their opinion may be required. But it is evident that great power is placed, and perhaps necessarily placed in the hands of these subordinates. The interest of the commonwealth, the stability of the work, and the feelings of our citizens in their vicinity, which ought to be consulted, all require that these subordinates should be possessed of competent skill and experience, and be prudent and discreet men, disposed to conciliate the feelings of all with whom in the prosecution of their duties, they may come in contact. But the committee deem it their duty to state, that these important duties and powers have been entrusted to individuals, many of whom, from the length of time they have been in the public service, must have left school, not as apprentices to learn the art of engineering, but to practice it as members. Whatever evils may have resulted from this cause, are in a great measure attributable to the Legislature, who at the commencement of the system, from mistaken ideas of economy, fixed the compensation of engineers at so inadequate a sum, as to deprive the state of the services of competent officers.

The present manner of making contracts has given rise to many complaints, and to applications to the legislature for redress. After proposals have been received for a particular work, the board or their agents are to award the contract to the "lowest and best bidder." Under this law, the commissioners consider themselves authorised to take into view not merely the lowness of the bid, but the qualifications of the bidder, and in the exercise of a sound discretion, to select from the applicants the lowest bidder of those they believe to be competent, though there should be other and lower bidders, but who, in the opinion of the board, could not be safely entrusted with the work. This construction of the law is, undoubtedly, correct: there must be this discretion allowed to the board, and without it there would be no security for the commonwealth. But when there is this discretion vested in a public officer, it may be improperly exercised, and it is the duty of the Legislature to impose, if possible, checks that may prevent any abuse of such discretion, and to convince the public that none has occurred.

A part of the system in which delay and useless expense have occurred, is that of repairs. Repairs are not, as a general rule, made by contract, but by men paid by the day, under the direction of the supervisor. In case of small breaches, on account of which navigation of transportation may be interrupted, this is the best, because the most expeditious mode, in such instances, of making repairs. But when the work to be performed is extensive, or the progress of navigation or transportation not impeded, it should be done by contract. The contract system is the most economical, and throws the work open to individual enterprise and competition, very much to the public benefit. Another defect in this branch of the system has heretofore arisen from a want of power in the board of commissioners, to apply money in their hands, but appropriated for other and less urgent objects, to the making of repairs. As the works progress nearer to completion, this de-

fect, if left irremedied, will be more generally felt, and become more ruinous in its consequences.

The great defect in the system is the want of a complete supervision of the whole work, in all its branches. It cannot be expected that a board of commissioners, consisting but of three individuals, no matter how competent or how industrious they may be, can possibly discharge this duty. To remedy this defect, the committee recommend that the various lines of canals and rail roads throughout the commonwealth, be formed into three divisions, each division to be under the control and direction of a separate and independent board of commissioners. One of the commissioners in each board to be an experienced engineer, and each board to possess the same powers, and to be charged with the same duties, as is now possessed and charged upon the present board of canal commissioners. By making it imperative upon the members of the board to devote their time and attention to the divisions committed to their charge, the committee believe that the works would be more speedily and economically prosecuted, and having the subordinate officers employed immediately under their notice, fewer causes of dissatisfaction would exist. To give uniformity and vigour to the system, to create a regular grade of responsibility, not only pecuniary but to public opinion, and to collect and methodise information relative to it, for the use of the people and their representatives, a department of public works under the control of a secretary, resident at the seat of government, should be established. Whether a new executive branch of this kind should be organized, or an addition made to one of those already in existence, so as to embrace the object in view, the committee are not prepared to decide. But certain it is, that if we had an intelligent secretary of public works, acting under a knowledge that the character of the whole system in some measure depended on him, and possessing a proper control over the system and its officers, continually residing at the centre of information and action, and devoting his whole time to the duties of his office, a different order of things might soon be expected.

The committee have briefly noticed the defects in our present system of conducting the public improvements; but the present system is too far advanced to devise and mature the necessary enactments. Perhaps it may be more advantageously performed by a future legislature. The works will be much nearer completion, and the new department, if one should be thought necessary and advisable, can be organized with greater deliberation, and with more direct reference to the management of our internal improvements in their completed state—they therefore recommend the adoption of the following resolution:

Resolved, That the committee be discharged from the further consideration of the subject, and that it be recommended to the attention of the next Legislature.

Additional views of Messrs. Burrows, Ashbridge, and Connelly, members of the Grand Committee.

The subscribers fully concur with the majority of the grand committee, on all the points which their report embraces: but they believe there are subjects connected with the system of improvement, which are of vast moment to the public and which have been either wholly overlooked, or only slightly touched on by the majority. As members of the committee, they feel it to be their duty to lay their views on one or two of these points before the House.

In the first place, the majority have remarked that very great powers are vested in the board of commissioners, in the making of contracts for the construction of the various locks. They believe that the construction given by the board to the act of Assembly which confers these powers, is correct. Whether it be so or not, it is now useless to inquire, since the same tribunal that

gives the construction, executes the law without appeal. But granting the exposition given to the act to be correct the subscribers do say, that the powers bestowed are too large and dangerous to be wielded with safety by any body of men, wholly irresponsible for the consequences of their acts. If this be the case, the inquiry at once presents itself whether any remedy can be devised, short of a total change of the system. It is believed that there can. Let the agents of the state retain all the power now possessed on this subject but let them be more completely subjected to the wholesome check of public opinion. This can be accomplished by making it obligatory on them to make out and publish, in the newspaper of the proper county, a full statement of all the bids received at each letting, for the information of the people. The persons interested will thus possess the means of comparing all the proposals, and of knowing that the agents of the commonwealth have acted impartially. The certainty that an ordeal of this kind must be passed through, will have the further good effect of producing greater circumspection in the examination of proposals, and in the awarding of contracts. It will also prevent the complaints of unsuccessful bidders, by taking away the possibility of misunderstanding, or misrepresenting the facts in each case. This is not unfrequently the consequence of the present law.

Another, and most important branch of the system, has been entirely passed over by the majority: It is that of damages. The subscribers are decidedly of opinion that the present mode enacted for their assessment is unconstitutional, unjust, and vexatious.

The board of commissioners are to make an offer to the claimant, of such sum as they may suppose to be a sufficient compensation for the injury sustained. If he should think the offer to low, he is to appeal from it to the board of appraisers, at the risk of incurring the payment of all costs on such appeal, in case he recover no more than the amount of the offer. This is extremely oppressive. In the first place the offer is made by a body of men, all whose feelings and interests lead them to wish that the amount necessary for damages may be as small as possible; and yet whose offer, no matter how inadequate, may not be refused except under the possible penalty of heavy costs. It is a mere offer to enter into a contract, and yet is in a very material point, binding on the party to whom the offer is made, before he accepts it. This is contrary to all the rules of ordinary business. In the next place, the only appeal is to the judgment of three men, composing a tribunal in whose selection the injured party has no agency whatever, nor even the right of challenge for any cause however strong—a tribunal appointed and removable solely by the chief executive officer of the state, whose feelings, if unfortunately they should ever become biased on this subject, would naturally be opposed to the increase of expense and debt. The law on this subject ought to be altered. As it stands at present, it infringes and impairs the right of trial by jury. But even though full justice be the effect of it, yet if dissatisfaction prevail among the people, and above all, if a constitutional right be trampled on, it is the duty of the legislature to change it. Two objects should always be kept in view in framing laws to decide disputes between man and man, or between a citizen and the public. One is, that strict justice be legally and constitutionally administered; the other, that the parties shall, if possible, have full confidence in the equity and impartiality of the tribunal established.

The subscribers unhesitatingly recommend a change of the law on this subject, and for the consideration of the House, take the liberty to suggest a mode of assessment which they believe to be in strict accordance with the charter of our rights, while it will amply protect the interests of the public. It is, a resort to the trial by jury, to be regulated in the following, or such other manner as may better suit the circumstances of the case. Before, however, the action of a jury be had, the pro-

per board of commissioners shall be authorised to compromise and settle with each claimant of damages, if possible, and to pay him the amount agreed on. But if no such settlement be made, then undoubtedly the party injured should have the extent of the injury inflicted upon him by reason of the construction of the state improvements, examined and ascertained by a jury of the county. The committee suggest the following outlines of an enactment on this subject. Let the party injured at the proper time make known, or let him be called on by the board of commissioners to make known the particulars of the damages sustained by him, together with the lowest sum he may be willing to receive as a full compensation. If the sum demanded be approved by the board, let it be paid. If not, let the claim be submitted to the decision of the jury, to be chosen as hereafter directed. Should their report be equal to, or greater than the sum demanded, let all the costs of the proceedings be paid by the commonwealth; if less, by the claimant.

To prevent all interest and partiality in the jury, let it be selected in the follow manner. In the first place, the sheriff of each county through part of which a state canal or rail-road passes, on notice to that effect, by the proper board of commissioners, or any three persons having claims against the state for damages, shall make out a list of not less than 100 respectable taxable citizens, residing at a distance from the improvement, and not in any manner connected with the claimants, and shall make return of such list to the next court of Common Pleas. From this list, it shall be the duty of the court to select 48 persons, who shall form the standing panel of jurors for the trial of all cases of damages within the county. On notice by the agent of the commonwealth to the party injured, or by the latter to the former, they shall meet in the Prothonotary's office of the county, when the names of the whole 48 persons forming the standing panel being put into a box in the usual manner by the sheriff, he shall draw out twelve who shall be the jury in the case, unless either party shall object to any of them, in which case he shall be allowed to strike from the list not more than two, whose place shall be filled up by the sheriff as aforesaid.

The jury thus chosen, after notice to meet, by the sheriff, and under his superintendence, they being duly qualified by some magistrate, shall view the premises, and hear the statements of the parties, and shall thereupon make out in writing their report, which shall by the sheriff, be filed in the Prothonotary's office. To this verdict, and the proceedings had, it shall be lawful for either party, within thirty days, to file exceptions to be argued before the court of Common Pleas at its next term, and by them decided, which decision shall be final and binding on the parties, unless removed within thirty days after such decision, to the Supreme Court for some error in the proceedings. If unremoved to the Supreme Court, the amount shall forthwith be paid to the claimants.

The subscribers feel convinced that this mode would obviate the dissatisfaction which at present prevails on this subject. It would abundantly protect the interests of the commonwealth, by subjecting all claims upon her, to respectable, disinterested men, whose feelings will lead them to strict justice between their fellow citizens and the public, of which they themselves form a constituent part:—While, on the other hand it would prevent all just dissatisfaction amongst the claimants. They, having had their claims examined and determined by a tribunal chosen in such a manner as to preclude all possibility of bias, would, the subscribers feel very little doubt, acquiesce without a murmur. The expedient, too, of calling on the claimants themselves to fix the amount of damages in the first instance, subject to the risks of costs, if not sustained by the jury, would probably have the effect of avoiding the necessity of further proceedings. Each, in making out his estimate of damages, would keep this check in view, and no mat-

ter how willing he might otherwise be to exort, would probably name no greater sum than, in his belief, a jury would confirm.

With these additional remarks, the subscribers declare their concurrence in the report and resolution offered by the majority. Their only regret is, that the committee could not make known the result of their examination at an earlier period of the session, so that the necessary amendments of the system might be made by this Legislature. It is believed, however, that the investigation has had a most salutary effect. Nothing tends so much to produce a proper discharge of duty, as frequent examinations, by the proper authority, of the conduct and actions of the agent. If honest, he will not shrink from it; if dishonest, he should not be permitted to escape it. The labors of the committee have had another good effect. Much light has been thrown on the hitherto imperfectly understood subject of canal and rail-road operations. This will undoubtedly, be highly useful to the next Legislature; and reform, though tardy, must take place, and it is hoped, will be complete.

THOS. H. BURROWS,
THOMAS ASHBRIDGE,
BERNARD CONNELLY, jr.

From the Pennsylvania Intelligencer.

IMPORTANT TRIAL.

John Bolton,
vs.
William Colder and
Alex C. Wilson,

In the Circuit court of Dauphin county, tried at Harrisburg, before the Hon. Molton C. Rogers, one of the Justices of the Supreme Court of Pennsylvania, on the 16th and 17th instant.

This was an action of Trespass on the Case, brought by the plaintiff to recover damages from the defendants, (proprietors of a line of stage coaches between Harrisburg and Reading,) for the negligence, carelessness, and unskillfulness of their driver in driving one of the defendant's coaches against the carriage of the plaintiff in which he was then travelling, upsetting it and breaking his leg.

The facts of the case were as follows: On the fourth of February, 1832, the coach overtook the plaintiff on his way to Harrisburg, a few miles east of it. When the plaintiff discovered the coach approaching him and within forty yards, he was on the left of the turnpike road, and immediately turned to the outer side of the paved part of the road, leaving ample room for the coach to pass him on the right, where the road was smoothest. He could not have turned out any further without actually oversetting. The coach pursued the beaten track neither turning to the right nor left. Such was the substance of the testimony of four young gentlemen, passengers in the coach at the time, some of whom, after the coach had stopped, went back about the fourth of a mile to the aid of the plaintiff, and assured themselves from an inspection of the tracks of the respective vehicles, that the circumstances above stated were correct. There was a sufficient snow on the ground newly fallen to enable them to do this with positive certainty. They righted his carriage, placed him in it, and one of them drove him to Harrisburg. Dr. A. T. Dean, the attending physician, was also produced in court and examined as a witness, who testified that the fracture was a very serious one and attended with much pain, being of the neck of the thigh bone, and that in all probability, he would be a cripple for life, the leg being shortened and otherwise injured.

The defendants produced the driver of the coach (having released him from all liability over to them,) who testified that as the coach approached the plaintiff's carriage which had the centre of the paved road, he was preparing to pass him on the left, and had actually

succeeded in getting his lead horses past the carriage, when the plaintiff turned over to the left. This forced him to endeavour to pass him on the right, which he would have succeeded in doing without causing him any injury, but that the road being wet and slippery, the hind wheel of the coach slipped along in the rut, and thus caught and overset plaintiff's carriage, without any fault on his (the driver's) part. He further stated that before he came near the carriage, the plaintiff looked back upon the coach, and hence he deemed it unnecessary to blow his horn (as his usual practice is,) believing that the side of the road to which he was passing with his coach had been discovered. The defendants undertook also to prove a custom among coaches and wagoners by which the latter considered themselves invariably bound to turn to the right on coaches overtaking them, and produced teamsters to prove that such is their practice. They further offered to prove the good character of the driver of the coach for skill and care, which the court overruled.

Messrs. John A. Fisher and Krause, for plaintiff, were proceeding to read authorities in support of the form and cause of action, but were stopped by the court's intimating that there was no doubt of the law upon the subject, or of the plaintiff's right to recover in this form of action if there was negligence, carelessness or unskilfulness in the driver of the coach proved to the satisfaction of the jury. In reply to the alleged custom, they cited the 22d section of the act of Assembly of this state, passed 5th day of March, 1804, relative to turnpike roads, enacting that "*wagoners and drivers of carriages of all kinds, &c. except when passing by a carriage of slower draft, shall keep their horses and carriages on the right hand side of the road, in the passing direction, leaving the other side of the road free and clear for other carriages to pass and re-pass, &c. &c.*"—7th Bioren's Laws of Pennsylvania, 237. The fair and proper construction of which they contended was, that *carriages meeting, were bound mutually to turn to the right, but in overtaking and passing, the carriage wishing to pass, was bound to pass the other on whichever side the road was most open, and that in this case the road was most open and free on the right hand side of plaintiff's carriage, the driver of the coach was bound, and ought to have passed on that side.* They also in further support of that position, cited 2 Sergeant and Lowber 455, where it is laid down that "*if a traveller is on the wrong side of the road, and there is room enough for another traveller to pass him without injury, but who chooses to take the right side of the road which is apparently hazardous, he is, notwithstanding his being on the right side of the road, liable for all damages he may do the first traveller.*"

Messrs. Weidman and Foster, for defendants, contended that the suit should have been *Trespass* and not *Case*. That the driver was not in the fault, having been neither negligent, careless, or unskilful. That he was governed in turning to the left by the custom stated and adhered to by coachmen and teamsters, but that the plaintiff himself was to blame for turning to the wrong side of the road in consequence of which alone the injury he complained of, had happened to him.

His Honor in a remarkably lucid and able charge, stated to the jury, in substance, that he agreed with the plaintiff's counsel in designating this an interesting trial, and not the less so as it is among the first, if not the very first action in Pennsylvania, that has been submitted to a jury. It was interesting for its bearing upon the rights of travellers and proprietors of stages—the former should know their rights, and the latter their responsibility. That they should consider this case as if Colder & Wilson had themselves been driving the coach, when the injury complained of had been done to the plaintiff; and if they should be of opinion that he had sustained that injury in consequence of the negligence, carelessness, or unskilfulness of their driver, they were liable to him in this action in damages. This was the

law; and it was right and required by sound policy it should be so; for if it was otherwise, extensive injury might be inflicted on travellers without giving them any means of redress, since in most cases drivers of coaches were not in circumstances to enable them to make remuneration. The owners, and employers, therefore, who reap the profits must also sustain the losses consequent upon the carelessness, or negligence, or want of skill in those whom they employ. That in this case it was apparent that a serious accident had occurred, by which the plaintiff had suffered pain as well as loss. It was testified by four disinterested men, that he had given as much of the road as safely he could, when the stage approached and passed him. Opposed to this was the testimony of the driver, who was the immediate perpetrator of the wrong, and must necessarily labor under a very considerable bias. He mentioned this because it was his duty to state to them the strong points of the case. But it was a fact for them to determine who was in the fault, the driver or the plaintiff, in producing the injury. If they should find that it was the driver, then he would state it to be the law, that Colder & Wilson were liable to answer for it. The amount of damages was also a question for them to judge of and decide; and in relation to that he charged them, if their servant had been negligent, or careless, or wanting in skill, the damages ought not to be vindictive or revengeful, *but let them be ample.* In assessing the damages they should take into view, not only the temporary loss and suffering of the plaintiff, but the permanent injury he had sustained, and compensate him amply. In laying down a rule for their guidance on this subject, he knew of none better than the golden rule, "Do unto others as you would wish others to do unto you."

The jury found for plaintiff TWELVE HUNDRED DOLLARS and costs.

CONSTRUCTION OF ROADS.

The subscribers, the Acting Committee of "The Pennsylvania Society for the promotion of Internal Improvements in the Commonwealth," respectfully submit the following essay, on the construction and reparation of roads, to the consideration of their fellow citizens.

MATHEW CAREY,
JOSEPH HEMPHILL,
RICHARD PETERS, jun.
STEPHEN DUNCAN,
WILLIAM STRICKLAND.

GERARD RALSTON, Secretary.

SECTION I.

On the Construction of Roads.

The proper construction and preservation of public roads are objects of the first interest. Their permanence depends entirely on the manner in which they are formed, and the expense of repairs is regulated by the correct or erroneous principles adopted by those who have charge of them.

Roads in our state are of three descriptions—The great public highways, and the township roads, both of which are made and kept in order at public expense; and turnpike roads, which have been constructed by private capital, and by large and liberal contributions from the commonwealth.

It has been frequently remarked by our citizens, who have visited the eastern states, that in those parts of the Union, the town roads, which are the same as our public highways, or township roads, are better made, and are always in better order than the same kind of roads in Pennsylvania. At present, it is, however, only intended to invite the attention of the citizens of the commonwealth to the known and acknowledged fact, that our public roads, which are under county and township charge, are bad in their formation, and almost entirely

without that care which is necessary to make them passable at certain periods of the year.

To the turnpike roads in Pennsylvania, it is the purpose of this paper particularly to call the public attention, and by a statement of the erroneous principles upon which they have been made, and an exhibition of a better mode of constructing and repairing them, it is hoped extensive benefit will be obtained.

In the formation of our turnpike roads, we commit four great errors—

1. We dig a trench in which to place the large stones, which are the foundation of the road, and which receives the water that percolates through, and undermines, and loosens the coat of broken stone, which forms the cover of the road. Those large stones scarcely ever consolidate.

2. Our roads are quite too convex, whereby carriages are necessarily kept in the middle, which is worn down, and thus presents a sort of basin for the reception and detention of rain.

3. The stone is seldom broken small enough—and hence the roads are generally encumbered with large stones, which interrupt the progress of carriages, raise up the wheels, and, by the jolt, injure the roads.

4. There is rarely a trench or ditch cut at the side of our roads, to carry off the rain water; or, if cut, it is very seldom kept free from obstruction.

At these errors we are not to wonder; for England, with centuries of experience in road making, and tenfold the experience of turnpikes that we have had, has until lately, pursued exactly the same career, which, even at present, is continued in many parts of that Island. But a new system has been introduced there within a few years past, by Mr. J. L. M'Adam, which has stood the test of the most rigorous scrutiny—and received the most unqualified approbation of parliament—of the postmaster general—of the proprietors of state coaches—and of numbers of the most enlightened persons in the nation. It forms no slight recommendation of this system, that Mr. M'Adam, and his family, under his direction and on his system, have been and are employed in the construction and repair of different roads to the extent of nearly 700 miles—and that he is consulted, and his plan followed, by the major part of all the road contractors in England.

The leading features of Mr. M'Adam's system are—that the best foundation for a road is the natural soil; that this foundation, on which the broken stone is to be laid, ought to be elevated, two, three, or four inches above what is usually termed the side or summer road*—that the stone should be broken, so as not to exceed six ounces in weight, (he has recently declared a preference of three,)—and so completely consolidated as to prevent the penetration of rain—that the stone should be as far as possible homogeneous, as the mixture of hard stones with those easily friable is highly pernicious—and that the bed of the road should be secured against under water by drains or ditches. The means by which to produce these effects, are detailed in his work at length, and in his various examinations by a committee of the house of commons, and are comprised in the following plain rules:—

1. "The first operation in making a road should be the reverse of digging a trench. The road should not be sunk below, but rather raised above the ordinary level of the adjacent ground. Care should be taken that there be a sufficient fall from the road to the adjacent ground to take off the water, so that this ground be some inches below that on which the road is intended to be placed. Side drains, or ditches, to carry off the water, are indispensably necessary.

2. "Having secured the soil from under water, the next care is to secure it from rain water, by a solid road made of clean, dry stone, or flint, so selected, prepared and laid, as to be perfectly impervious to water. This cannot be effected unless the greatest care be taken, that no earth, clay, chalk, or other matter that will hold or conduct water, be mixed with the broken stone, which must be so prepared, and laid, as to unite by its own angles into a firm, compact, and impenetrable body.

3. "The large stones usually laid at the bottom of roads as a foundation, are not only a useless expense, but positively injurious; as, being constantly shaken by heavy carriages, they keep the upper stratum loose, and open for the reception of rain water.

4. "The stone, (or, as we term it, the metal,) is to be laid on, not all at once, but in layers of three inches thick; after the first layer is laid on, it is to be subjected to the traffic, or if the road is not open to traffic, a roller of iron should be used, if the weather be showery, if otherwise, water should be thrown on it; for no stone will consolidate when perfectly dry.

5. "Much has been said and written upon the strength of roads. My experience leads me to the conclusion, that six inches thickness of well broken stone, properly laid on, is quite sufficient, provided the bed of the road be made and kept dry. Of late years I have made no road thicker; but on the second year have given it an addition of three inches, losing a little the hard surface of the road, about an inch deep, to allow the new and the old metals to unite; going upon the principle, that the natural soil is the real carrier both of the road and the carriages; and that if it could be kept dry by any other means, the artificial road would be altogether unnecessary.

6. "The thickness of a road is immaterial as to its strength for carrying weight. This object is already obtained by providing a dry surface over which the road is to be placed as a covering, or roof, to preserve it in that state; experience having shown that if water passes through a road, and fills the native soil, the road, whatever may be its thickness, loses its support, and falls to pieces.

7. "The only proper method of breaking stones, both for effect and economy, is by *persons sitting*. The stones are to be placed in small heaps; and women, boys, or old men, past hard labour, *should sit down, and break them with small hammers, so as none shall exceed six ounces in weight*.

8. "The stones should be broken very small. In recommending six ounces as the proper size, I went as far as the then old prejudice would admit. But experience has convinced me that half the size is more useful and more profitable to the country.* When the stone is well broken, and properly applied, there is no occasion for the covering of gravel or slate—and I object to it, as preventing the consolidation of the stone, by keeping the pieces apart, whereas they would otherwise unite by their own angles.

9. "The reason for recommending the laying on the stone at different times, and in layers, is, that if the whole quantity be laid on at once, the under part never consolidates properly, but continues loose and tends to loosen the upper part so as to allow the water to pass through.

10. "Nothing is to be laid on the clean stone on presence of binding. Broken stone will combine by its own angles into a smooth, solid surface, which cannot be affected by vicissitudes of weather, or displaced by the action of wheels, which will pass over it without a jolt, and consequently without injury.

* It is to be observed that Mr. M'Adam disapproves of side or summer roads; as the earth which is carried from them to the turnpike, by the horses' hoofs and the wheels of carriages, injures the latter. In England, scavengers are employed on many of the roads, to sweep off the mud into which the rain converts the earth carried on the turnpike.

* This item, No. 8, is taken from a MS. communication to an American gentleman dated February 7, 1823—and is the result of greater experience than Mr. M'Adam had when he wrote the preceding one, No. 7.

11. "A carriage ought as much as possible to stand upright in travelling. I have generally made roads three inches higher in the centre than at the sides, when they are eighteen feet wide. If the road be smooth and well made, the water will easily run off in such a slope.

12. "When roads are very convex, travellers generally follow the track in the middle, which is the only part where a carriage can run upright; by which means three furrows are made, one by the horses and two by the wheels. More water stands on a very convex road than on one that is reasonably flat.

13. "Ten inches of well-consolidated materials are equal to bear any kind of carriage. I do not care whether the substratum be soft or hard—indeed I should prefer a soft one, provided it was not such as would not allow a man to walk over it.

14. "When a road is to be formed on the one side of a hill, the ditch should be on the higher side of the road, where it will receive the water falling from the high ground, and keep the road dry.

15. "The materials should be cleansed of the mud and soil, with which they are mixed in their native state, on the spot where they are procured. If gravel be used, it ought to be cleared by screening, or, if necessary, by washing. Some addition will be hereby made to the expense in the first instance—but it will be found the most economical mode in the end.

16. "Twenty per cent. of the expense of improving and repairing roads is often incurred by rows of trees, particularly on the sunny side, intercepting the influence of the sun.

17. "Carriages, whatever be the construction of their wheels, will make ruts in a newly made road till it consolidates, however well the materials may be prepared, or however judiciously applied. Therefore a careful person must attend for some time after the road is opened for use, to rake in the track made by the wheels."

The roads in Sweden, which are among the best in world, are made on the plan adopted by Mr. M'Adam. On these roads no stone is ever laid larger than a walnut.

SECTION II. *On the Repair of Roads.*

There is reason to believe that the expense of keeping turnpike roads in repair, might be diminished one-third at least by the following plan. Let the road, as soon as completed, be divided into sections of six, eight, or ten miles, as experience may dictate. To each section let a man be appointed, whose duty it shall be to proceed daily, or every other day, up and down his portion of the road, to fill up ruts, cut small drains to carry off the water, remove all stones that obstruct the wheels of carriages, and, in a word, to repair any damage that may arise in the road. He ought to be provided with a full supply of broken stone, placed at proper distances—with an ox and cart—a roller—a rake—a shovel, &c. A person fit for this purpose might be had for probably 100 or 150 dollars per annum—besides the expense of provender for the ox. A supervisor ought to be appointed to every portion of a road of 40 or 50 miles, with full powers over road-makers, gate-keepers, &c.

The following directions for repairing old roads, are taken nearly verbatim from Mr. M'Adam's work.

1. "No addition of materials is to be brought upon a road, unless where there is not a quantity of clear stone equal to ten inches in thickness.

2. "The stone already in the road is to be loosened up, and broken, so that no piece shall exceed six (three) ounces in weight.

3. "The tools to be used in repairing roads are—

a. "Strong picks, but short from the handle to the point, for lifting the road.

b. "Small hammers about one pound weight in the

head; the face the size of a shilling, well steeled, with a short handle.

c. "Rakes, with wooden heads, ten inches in length, and iron teeth about two and a half inches in length, very strong, for raking out the large stones when the road is broken up, and for keeping the road smooth, after being relaid, and while it is consolidating.

d. "Very light broad-mouthed shovels, to spread the broken stone, and form the road.

4. "The road is then to be laid nearly flat. A rise of three inches from the side to the centre is sufficient for a road thirty feet wide.

5. "The stones, when loosened, are to be gathered off with a strong, heavy rake, with teeth two and a half inches in length, to the side of the road, and there broken. *On no account are stones to be broken on the road.*

6. "When the large stones have been removed and none left in the road exceeding six (three) ounces, the road is to be put in shape, and a rake employed to smooth the surface, which will, at the same time, bring the remaining stones to the surface, and allow the dirt to go down.

7. "When the road is so prepared, the stones that have been broken, are to be spread carefully over it.—This is rather a nice operation, and the future quality of the road will greatly depend upon the manner in which it is performed. The stone must not be laid on in shovels full, but scattered over the surface, one shovel full following another, and spreading over a considerable space.

8. "Only a small space of road should be lifted at once. Five men, together, should be set to lift it *all across*. Two of them should continue to pick up and rake off the large stones, and form the road for receiving the broken stone. The other three should break stones—the broken stones to be laid on as soon as the piece of road is prepared to receive them—and then break up another piece. Two or three yards at one lift is enough.

9. "To proportion the work among the five men, must of course be regulated by the nature of the road. When there are many very large stones, the three breakers may not be able to keep pace with the two men employed in lifting and forming. When there are few large stones, the contrary may be the case. Of all this the surveyor must judge.

10. "But while it is recommended to lift and re-lay roads which have been made with large stone, or with large stone mixed with clay, chalk, or other mischievous materials, there are many cases in which it would be highly unprofitable to lift and relay a road, even if the materials should have been originally too large. For instance:—

11. "The stone on some roads is of so friable a nature, that in lifting, it becomes sand. In this case, I recommend cutting down the high place, keeping the surface smooth, and gradually wearing out the materials now in the road, and then replacing them with stone of a better quality properly prepared. To roads made of freestone, these directions most particularly apply.

12. "When additional stone is wanted on a road consolidated by use, the old hardened surface of the road is to be loosened with a pick, in order to make the fresh materials unite with the old.

In addition to Mr. M'Adam's rules for making roads, as given in the first section of this essay, the following directions from Mr. Edgeworth's Essay on roads, are deemed worthy of public attention.

1. "Roads should be laid out as nearly as may be in straight line. But to follow, with this view, the mathematical axiom, that a straight line is the shortest that can be drawn between two points, will not succeed in making the most commodious roads. Hills must be avoided—towns must be resorted to—and the sudden bends of rivers must be shunned.

2. "It may perhaps appear surprising, that there is but little difference in length between a road which has a gentle bend, and one that is in a perfect straight line. A road ten miles long and perfectly straight, can scarcely be found any where. But if such a road could be found, and were curved so as to prevent the eye seeing further than one quarter of a mile of it, in any one place, the whole road would not be lengthened more than one hundred and fifty yards. It is not however recommended to make serpentine roads merely for the entertainment of travellers; but to point out that a strict adherence to a straight line is of much less consequence than is usually supposed; and that it will be frequently advantageous to deviate from the straight line to avoid inequalities of ground.

3. "Where the arc described by a road going over a hill, is greater than that which is described by going round it, the circuit is preferable.

4. "What is here said respecting level roads, must not be strained to an assertion that a perfectly level road is always the best for every species of draught.—Slight and short alternations of rising and falling ground, are serviceable to horses moving swiftly. They have time to rest their lungs and different muscles—and of this experienced drivers know how to avail themselves."

REPORT OF THE COMMITTEE OF WAYS AND MEANS.

[Mr. Lippincott, Chairman.]

Read in Select Council, April 11th, 1833.

The Committee of Ways and Means, respectfully submit to Councils the following Report.

There will be wanted for the service of the year 1833, for the several Appropriations, the following sums, viz.

For No. 1. New paving,	\$40,000 00
2. Unpaved Streets,	5,600 00
3. Cleansing the City,	18,000 00
4. Docks and Sewers,	5,000 00
5. Lighting and Watching,	58,000 00
6. Pumps and Wells,	3,000 00
7. Regulating Ascents & Descents,	1,000 00
8. Salaries of the officers of the City,	22,025 00
9. Fuel and Incidental Expenses of Offices,	1,000 00
10. Services in the markets,	600 00
11. Incidental Expenses of Councils,	175 00
12. For rewarding persons active in bringing offenders to justice,	500 00
13. Repaving over Water Pipes, and repairing old pavements,	11,000 00
14. Repairing and Improving City Property,	11,000 00
15. For interest on the City Funded Debt, viz.	
On 470,100 dollars, at 6 per cent.,	\$28,206 00
On 70,000 dollars, payable 1st May, say 4 months, at 6 per cent.,	1,400 00
On 1,540,500 dollars, at 5 per cent.,	77,025 00
On 15,000 dollars, payable 1st May, say 4 months, at 5 per cent.,	250 00
	<hr/> 106,881 00
16. Expenses of Fair Mount Water Works, viz.	
Current Expenses, \$13,000 00	
—Permanent Improvements, \$13,084 75,	26,084 75
17. For Distribution among Fire and Hose Companies,	7,000 00

18. For Interest on Moneys to be borrowed this year,	5,225 23
19. For purchase of Paving Stone for 1834,	2,000 00
20. Repairing Footways in case of default by individuals,	600 00
21. Expenses which may hereafter be authorized by Councils,	8,500 00
22. For Public Burial Ground,	204 00
There will also be wanted, to pay the debt due the Sinking Fund,	49,228 28
And for the annual appropriations to the same,	22,000 00
Also, this sum in addition, for which an Ordinance has been reported to Councils,	3,000 00
	<hr/> \$407,623 26

To meet which there will probably be received in the year—

For Rents from Real Estate,	\$10,000 00
Market Rents,	20,900 00
Wharfages at Drawbridge,	2,700 00
Contingent Moneys,	2,390 00
Fines and Penalties,	229 43
Public Burial Ground,	200 00
Water Rents,	77,567 75
	<hr/> \$113,987 18

To which add this amount, proposed to be borrowed, and for which an Ordinance has already passed the Select Council,

100,000 00

213 987 18

Leaving a deficiency to be provided for, of \$193,636 08

To raise which sum, the Committee respectfully propose to Councils the assessment of a tax of seventy-five cents in every one hundred dollars, which sum, levied on \$25,818,144 00, being the amount of valuation of real estate in the City of Philadelphia, agreeably to the last triennial assessment, will produce the sum of \$193,636 08 the amount required to be provided for.

To exemplify the foregoing more clearly, they submit the following condensed statement, in the form of an account current.

The Mayor, Aldermen, and Citizens of Philadelphia, in account current.

	DR.	
To annual appropriations,		\$333,394 98
To amount due Sinking Fund,		49,228 28
To annual appropriations to		25,000 00
		<hr/> \$407,623 26
	CR.	
By receipts for rents, &c.		113,987 18
By loan,		100,000 00
By taxes, 75 cents per 100 dollars,		193,636 08
		<hr/> 407,623 26

Should Councils deem it expedient, during the current year, to authorize additional new paving, and any improvements of a permanent character, then and in that case your Committee would recommend the borrowing of such sum as may be requisite to defray the expenses thereof. The sum to be borrowed not to be redeemable until the year succeeding the latest period at which any loan now due by the corporation will become payable.

The Committee further respectfully submit the draft of an Ordinance, conformably to the foregoing Report. All which is respectfully submitted to the consideration of Councils.

JOSHUA LIPPINCOTT,
THOMAS W. MORRIS,
JOSEPH R. CHANDLER,
CHARLES MASSEY, Jr.,
LAWRENCE LEWIS,
ROBERT TOLAND.

Philadelphia, April 11, 1833.

REPORT OF THE COMMITTEE OF WAYS AND MEANS ON THE SINKING FUND.

[Mr. Lippincott, Chairman.]

Read in Select Council, April 11th, 1833.

The following statement exhibits the operation of the Sinking Fund as at present organized, to meet the payments of the existing City Debt, as it falls due, up to the year 1846, when the largest payment is to be made, after which (unless other large debts are contracted,) the amounts remaining to be paid falls due yearly, and being in sums less than the receipts for Water Rents, may all be paid from that source, without the further continuance of the Sinking Fund.

1833, January 1.

Amount of various stocks, at par, in the hands of the Treasurer, belonging to the Sinking Fund,	\$335,331 56
Cash in treasury belonging to ditto, (uninvested,)	49,228 28
	<hr/> \$384,559 84

Deduct city debt, due 1st May, 1833,	85,000 00
	<hr/> 299,559 84

1834, January 1.

One year's interest on stocks at 5 per cent,	\$14,977 99
Appropriation of 1833,	25,000 00
Premium on loan of 100,000 dollars,	13,000 00
	<hr/> 52,977 99
	<hr/> 352,537 83

1835, January 1.

One year's interest,	\$17,626 89
Appropriation of 1834,	25,000 00
	<hr/> 42,626 89
	<hr/> 395,164 72

1836, January 1.

One year's interest,	\$19,758 23
Appropriation of 1835,	25,000 00
	<hr/> 44,758 23
	<hr/> 439,922 95

1837, January 1.

One year's interest,	\$21,996 14
Appropriation of 1836,	25,000 00
	<hr/> 46,996 14
	<hr/> 486,919 09

1838, January 1.

One year's interest,	\$24,345 95
Appropriation of 1837,	25,000 00
	<hr/> 49,345 95
	<hr/> 536,265 04

Deduct city debt, due 1st January, 1838,	26,400 00
	<hr/> 509,865 04

1839, January 1.

One year's interest,	\$25,492 25
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Appropriation of 1838,	25,000 00	
		<hr/> 50,493 25
Deduct city debt, due 1st January, 1839,	10,000 00	
		<hr/> \$550,358 29
1840, January 1.		
One year's interest,	\$27,517 90	
Appropriation of 1839,	25,000 00	
	<hr/> 52,517 90	
		<hr/> 602,876 19
Deduct city debt, payable January and July, 1840,		392,000 00
		<hr/> \$210,876 19
1841, January 1.		
One year's interest,	\$10,543 80	
Appropriation of 1840,	25,000 00	
	<hr/> 35,543 80	
		<hr/> 246,419 99
1842, January 1.		
One year's interest,	\$12,320 99	
Appropriation of 1841,	25,000 00	
	<hr/> 37,320 99	
		<hr/> 283,740 98
1843, January 1.		
One year's interest,	\$14,187 04	
Appropriation of 1842,	25,000 00	
	<hr/> 39,187 04	
		<hr/> \$322,928 02
Deduct city debt, due 1st January, 1842,		33,500 00
		<hr/> \$289,428 02
1844, January 1.		
One year's interest,	\$14,471 40	
Appropriation of 1843,	25,000 00	
	<hr/> 39,471 40	
		<hr/> \$328,899 42
1845, January 1.		
One year's interest,	\$16,444 97	
Appropriation of 1844,	25,000 00	
	<hr/> 41,444 97	
		<hr/> \$370,344 39
Deduct city debt, due 1845,		76,000 00
		<hr/> \$294,344 39
1846, January 1.		
One year's interest,	\$14,717 21	
Appropriation of 1845,	25,000 00	
	<hr/> 39,717 21	
		<hr/> \$334,061 60
Amount of city debt due 1st January, 1846, \$456,000,—leaving to be borrowed, payable in 1847, 1848, and 1849,		121,938 40
		<hr/> \$456,000 00
1847. Amount borrowed 1846, payable, 1847,	\$50,000 00	
1848. Amount due, do. 1843,	20,000 00	
1848. Amount debt due 1st July, 1848.	30,000 00	
1849. Amount borrowed 1846, payable 1849,	51,938 40	
1850. Amount debt due 1st July,	57,600 00	
1851. Amount debt due 1st January, 1851,	68,000 00	
1852. do do 1852,	55,000 00	

1853.	Amount debt due 1st	
	January 1853,	25,000 00
1854.	do 1st January	
	and 1st November, 1854,	51,000 00
1855.	do January, April,	
	and July, 1855,	51,500 00
1856.	do 1st July, 1856,	55,000 00
1857.	do January, and	
	July,	117,000 00
1858.	do 1st July,	83,500 00
1859.	do January & July,	87,400 00
1860.	do 1st July,	67,500 00
1861.	do 1st January,	36,200 00
1862.	do January & July,	97,000 00
1863.	do January,	35,000 00
1864.	do July,	100,000 00
1865.	do authorised to be	
	borrowed,	100,000 00
		<hr/>
		\$1,238,638 40
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From the Philadelphia Gazette.

PROCEEDINGS OF COUNCILS.

Thursday, Feb. 28, 1833.

SELECT COUNCIL.—The following communications were received, and referred to the committee on Gas.

PHILADELPHIA, Feb. 28, 1833.

To the President and Members of the Common Council.

Gentlemen—We have been directed by the Trustees of the Philadelphia Museum, to transmit to your body the accompanying memorial from the manager of the Museum, stating the great advantages that had accrued to the institution under his charge, from the manufacture and use of carburetted hydrogen gas as a means of lighting the Museum. We have also been directed to state that the Trustees of the Museum are extremely anxious for the introduction of gas in the city, and trust that the ordinance to that effect may become a law.

All which is respectfully submitted by

COLEMAN SELLERS, President.

R. EGLESFELD GRIFFITH, Sec'y.

To the Board of Trustees of the Philadelphia Museum Company.

Gentlemen—The experience that we have been so long in acquiring, which originated in a repetition of the process for manufacturing carburetted hydrogen gas, when the accounts of its discovery and illuminating powers were first received in this country, and subsequently the introduction of it, as a permanent means of lighting the Museum, in which we experienced its advantages for a number of years, and had ample and familiar knowledge of its manufacture and use, have induced me to hope that you will take this important matter into consideration, and by petition to the city Councils, and all other honourable means, aid in promoting its introduction.

Its superior advantages of economy, safety, salubrity, and cleanliness, render it of the last importance to the institution over which you preside.

All of which is respectfully submitted by

FRANKLIN PEALE,

Manager of the Philadelphia Museum.

Museum, Feb. 12th, 1833.

The annexed communication from Messrs. Richards, and J. J. Rush, was received, and was referred to a joint committee of two members of each Council, and Messrs. Lewis, McCredy, Houston and Haines, were appointed the committee.

To the President of the Select and Common Council.

The ordinance now before Council, for the construc-

tion of Gas works, having been objected to by some individuals on account of the necessity of incurring additional debt, and consequent increase of taxation, while the settled policy of the city, precludes the supposition that any exclusive grant to a private company to construct Gas works, will be granted by Councils.—We respectfully state, that we are authorized by a company of gentlemen, and for the performance of the liability now assumed, the most satisfactory security will be furnished, to make the following propositions.

1st. That Councils shall appropriate the lots specified in the ordinance now under consideration, for the works, Gasometers, Work shops, &c. and provide from time to time, such sums of money as may be required for permanent works—said moneys to be disbursed by the contractors, under the direction of joint committees of Councils;—all orders to be drawn by the said committee on the City Treasurer, and vouchers filed in the proper office, provided, that no money shall be expended, except on requisition of the contractors. In consideration whereof, we are authorized to contract to pay the City Corporation, five per cent. on such investment of money.

2d. We are authorized to offer to contract to furnish Gas for four street lamps in each square of 400 feet, at the rate of three and a half feet of Gas for each burner per hour, free of charge,—and from and after the first day of January next, we will contract to furnish Gas for street lamps, within the range of five additional miles of pipes, in each and every year, until the pipes are laid over the whole city, provided the right to select the streets in which the pipes are to be laid, and extended, shall be vested in the party we represent.

3dly. We are authorized to contract to furnish such private citizens, and public, or other institutions as may require it, Gas, at such price as shall be equivalent to Oil, at sixty cents per gallon. The price of the Gas per thousand cubic feet to be fixed within three months of the date of its first introduction, by careful experiments upon the quantity of light emitted, during the combustion of one gallon of oil, and equivalent quantity of Gas. The experiment to be made by, or under the direction of five persons of skill and scientific knowledge, to be mutually agreed upon. The Oil, to be taken from the City stock, one half summer, and the other half winter strained.

The contractors to lay the service pipe from the main to the meter, and furnish the meter, charging therefor an annual rent of fifty cents for each burner. This contract to cease and determine in twenty years after the whole work is completed. The Councils to pass from time to time, such ordinances as may be mutually agreed on, for the protection of the works.

MARK RICHARDS,

JAMES J. RUSH,

For ourselves and a company of gentlemen.

Philad. Feb. 28, 1833.

Messrs. Groves, Lippincott, McCredy, J. P. Wetherill, Lewis, and Eyre, presented petitions in favor of Gas, and also against Gas; the following is a copy of the memorial in favour of Gas.

To the Honourable the Select and Common Councils of Philadelphia.

Your memorialists, citizens of Philadelphia, respectfully solicit the attention of your honourable bodies, to the expediency and propriety of erecting, at the expense of the corporation, suitable works for the supply of Gas for lighting the public streets, stores, houses, and large buildings. Your memorialists have for a long time looked forward to the period when it would be expedient to introduce this superior mode of lighting; and they have believed it was the settled policy of this corporation, whenever the state of its funds should admit, to do it at city cost. Philadelphia is far behind the age in this great comfort of life, and your memorialists have viewed with great satisfaction the

progress of the inquiries made by the committee of your honourable bodies, and of your predecessors, to obtain all necessary information, to enable the Councils to construct these works on the most suitable and approved plan. Your memorialists believed that the construction of Gas works had been determined on by your predecessors—and they have viewed with surprise the efforts made to stay the progress of so noble a work.

Nevertheless, as the remonstrants had assigned some reasons against the undertaking which they believe to be valid, your memorialists deemed it becoming in them to await an examination of the reasons assigned by the committee appointed by your honourable bodies—lest they should be found advocating a measure of great public importance, which might prove impolitic. That committee have reported, and your memorialists have seen with great satisfaction that their previous opinions were formed under correct impressions, and that the objections made by the remonstrants have not been sustained, but that the evidence laid before the public from the highest sources, triumphantly refutes every argument that has been made against them.

Your memorialists therefore pray that the enactment of the ordinance, for the construction of Gas works, be no longer delayed, as they desire to see the experiment tried, as recommended by the committee, before the ensuing winter, believing that it will eventuate in a lasting benefit to this community. And your memorialists, &c.

Mr. Massey presented the following remonstrance, which was referred to the committee on Gas.

To the Select and Common Councils of the City of Philadelphia.

The remonstrance of the subscribers, owners of property, or residents in the vicinity of the Drawbridge, respectfully sheweth,

That your memorialists having been much annoyed by the offensive discharge from the Gas works of the Masonic Hall into the common sewer; have recently learned with much regret, that it is in contemplation to establish a Gasometer station on the Drawbridge lot. Against this measure we do most earnestly and respectfully protest, as being most likely to render the atmosphere prejudicial to health, to injure the business of the neighborhood, by driving the citizens to other parts of the town for residence, and thus affect the value of property, and the means of obtaining a subsistence to those who have established stands for business in that vicinity. We would further represent that the contamination of the waters of the Delaware or Schuylkill by the fetid empyreumatic residuum of a Gas factory, would be an irreparable injury to the comforts and benefits our city derives from a copious supply of pure water, of which few sea port towns can boast.

We therefore trust the Councils will not encourage any Gas works to be erected in or near the city.

Mr. J. P. Wetherill presented the annexed petition which was referred to the committee on Gas.

To the Common Council of Philadelphia.

The undersigned respectfully represent, that the preparation of gas for illumination is a recent art in this country and is even yet, in Europe, where it has been longer in use, the subject of much practical inquiry, and of many new economical improvements not thoroughly understood here. They also represent that in the beginning of a great Gas Work, a very great saving of money as well as an important promotion of public comfort and convenience, would result from the thorough understanding of the whole process as conducted in the best establishments abroad:—They therefore beg leave to respectfully suggest to the *Common Council*, the propriety of sending to Europe a person, from previous pursuits, well qualified to examine, understand and report on, the highly diversified manufactories of gas in the different countries in which it is used on a large

scale. On his return, your petitioners believe you will be able to legislate on this subject in a manner suited to its importance, and in high conformity with the public interest.

Mr. J. P. Wetherill, presented the annexed petition, which was referred to the Paving Committee.

To the Select Council of the City of Philadelphia.

The Memorial of Auguste D' Arras, respectfully represents:

That your memorialist has been informed that an application has been made to Councils to open Cherry street to the river Schuylkill; that he is the tenant of a large lot or garden near that river, extending from Mulberry to Sasfras street, under a lease which has about five years yet to endure. That he has expended all he was worth in improving and embellishing the said lot, and converting it into a public garden. That the said street, if opened through his ground, will traverse such a part of it, as will not only destroy a large portion of his most valuable property, but will completely ruin, in his opinion, his prospects during the remainder of his lease. Your memorialist, to satisfy your honourable body of the sincerity of his declarations would beg leave to mention that trees of various kinds, yielding the choicest fruits, of an annual value, according to the abundance of the seasons, of from three to four hundred dollars, must be cut down, as they stand precisely in the line of the said street. So, the best of his shrubberies, and that part of his garden towards the western side, containing umbrageous trees and grass which visitors in summer, can alone sit in, to be perfectly sheltered from the sun, must for the same reason be removed. Besides this, and the destruction of his gravel walks your memorialist's garden would be divided into isolated parts; and the scite of his grounds being very elevated, it is probable that they would stand, by the opening of Cherry street, five or six feet above its level. This circumstance alone is decisive, in your memorialist's opinion, in proving, that his prospects of deriving a livelihood for the future would be ruined; because the southern portion of the ground upon which stand his house and buildings, would be too small for a garden, and the northern portion would be useless for the same purpose. Without a public garden around it, your memorialist's tavern would not be worth keeping. He therefore prays your Honorable Body not to open Cherry street through his garden. And he will ever, &c.

AUGUSTE D'ARRAS.

Mr. Massey presented the following petition from Philip Lowry, which was referred to the same Committee to whom was referred the petition of J. Warner.

To the Honorable the Select and Common Councils of the city of Philadelphia.

The petition of Philip Lowry, jr. respectfully states, that Thos. T. Stiles, Nathan Atherton and John Morris, late city commissioners, on the 16th July, 1824, executed to Robert Shaw, with said Philip Lowry, jr. and Charles Jackson, as sureties, a lease for the period of ten years, from the 1st July, 1824, of two lots of ground on the west side of Schuylkill river, and north side of the Lancaster turnpike; containing in front 42 feet and in depth northwardly 180 feet, (being the same two lots marked 30 31, in the plot of the city property lying west of Schuylkill river, made by R. Howell,) paying therefor in half yearly payments, the yearly rent of 50-100 per foot front, amounting together to \$21 per annum. That said R. Shaw, on the 17th of July, 1824 assigned to Jesse Ford all his interest in said lease; that Jesse Ford, on the 22d January, 1833, assigned all his interest in said premises to your petitioner; that the rent of said premises is now largely in arrear, and your petitioner, as surety is called upon to pay the same; that your petitioner is desirous of making improvements on said premises, but as the present lease will expire on the 1st of July, 1834, prays that in consideration of the

payment of said arrearages as follows, viz: one half cash, one quarter on the 1st July next, and the remainder on the 1st January 1834 next, that the City Commissioners be authorised to rescind the present lease and to execute to your petitioner, with a sufficient surety a lease of said premises for a period of ten years at the aforesaid rent of fifty cents per foot front, and your petitioner will ever pray, &c.

PHILIP LOWRY, Jr.

Mr. Massey presented the annexed petition which was referred to the Committee of Ways and Means.

To the Select and Common Councils of the City of Philadelphia.

The City Councils of Baltimore having desired you to unite with them in a memorial to Congress; praying for relief by law from the inconveniences arising from the importation of paupers,—We your petitioners hope you will not unite with them, for the following reasons:

1st. The cause assigned by the Baltimore Councils for their desiring relief from Congress, was "in consequence of doubts existing respecting the authority of the State Legislature to correct the evil complained of." This could not be used as an argument here, as our Legislature has passed several acts not only obliging the importer to pay a certain sum on each alien passenger arriving here, to support any who may become chargeable on the City and Districts, but has also obliged him to pay one dollar on each to the Health Office, for which sum neither importer nor passenger receive any benefit. These laws having invariably been enforced, show clearly that our State Legislature would as heretofore consider itself authorised to correct the evil, if any existed.

2d. They say, "The expenses of Baltimore (and no doubt of Philadelphia) have been materially increased for several years past by the introduction of foreign paupers." This is doubtless correct as respects their own city, for poor tax and head money are not levied on aliens arriving in Baltimore; but the case is reversed in the city of Philadelphia, as the poor fund is benefited by the tax exceeding the expenditure for maintaining those who from *direct importations* become chargeable. Some of your petitioners having had much experience in this business, state it *with confidence of its accuracy*, to prove which they would be willing to relieve the guardians from the expense of supporting alien paupers if they were permitted to give bonds for their maintenance, showing clearly that the evil complained of in Baltimore does not exist here.

3d.—If Congress passes an act attaching a penalty to the importation of paupers, a nice question will arise of who is a pauper? and it is impossible for a captain receiving passengers in a foreign port to discriminate between those who have the will and ability to support themselves, and those who have not; in addition to this difficulty it will certainly be impolitic to add to the heavy restrictions under which the direct trade is at present labouring, besides an appeal from the city authorities to the United States for relief, will be very like an admission that the poor tax is unconstitutional.

Whilst the subject is before Councils it would be aiding the commercial and through it the general interests of this city, if they would petition the Legislature to repeal and amend such parts of the health and poor laws as are found oppressive and injurious in their operation. We particularly refer to the tax of one dollar on each passenger for the Health Office, and one dollar and fifty cents on each individual for the Guardians of Poor; both are levied on the importer; a portion of the former is sometimes collected from the passengers, for which as previously stated, neither importer nor passenger receives any equivalent, as the Lazaretto is fully supported by an additional charge on vessels, and if a contagious or other disease render it necessary for the passengers to land, they must be supported at their own expense, for which the vessel is also liable if they are

unable or unwilling to pay. It therefore appears evident to us that this tax is a duty on the importation of passengers and is certainly unjust, if not unconstitutional.

Our reasons for desiring an amendment of the poor laws are, because the tax is too high, and because it is too unequal in its operation. We think it too high, as individuals can be found willing to support them for less, and those who have bonded them in New York it has not cost half the sum paid here. That its operation is unequal is apparent, for a wealthy passenger or one not intending to remain in the city, the same must be paid as for a pauper; whereas, if the importer was permitted to give bonds for the support of any becoming chargeable within a year from arrival, or at his option commute for a sum fixed by the Guardians of the Poor on examination of passengers, the penalty attached to the importation of paupers would be sufficient to deter any from bringing them intentionally and would relieve the importer.

That the present system should not be permitted to continue must be evident to every one on examination of the subject, as the more favorable terms offered by Delaware, New Jersey and Maryland, induce thousands of passengers destined for Philadelphia to land in those states, and arrive here without contributing to the poor fund; whereas, if the Legislature are petitioned they will doubtless repeal or amend the objectionable features in the existing laws, and thereby give additional activity to our drooping commerce, instead of driving it from this port, by the continuance of the unjust restrictions at present imposed upon it.

Philadelphia, Feb. 22d, 1833.

Mr. GROVES offered the following resolution, which was adopted.

Resolved, That the members of the Senate and House of Representatives, representing the city in the General Assembly of this State, be requested to use their best exertions in promoting the passage of a bill now on the file of the House of Representatives, entitled "A further supplement to an Act entitled an Act to incorporate the Danville and Pottsville Rail Road Company, passed the 8th day of April, one thousand eight hundred and twenty six."

Resolved, That a copy of the foregoing resolution be forwarded by the Presidents of Councils to each member of the Senate and House of Representatives from the city.

COMMON COUNCIL.—The annexed communication was received, and referred to the committee on the river Schuylkill.

To the President of the Common Council of the city of Philadelphia.

Sir—The undersigned having seen the report of the Committee on the Navigation of the river Schuylkill, have the honor to state, that the City Councils in February 1832, invited a conference with the authorities of the adjacent Districts, to determine the line of wharves on that river.

The undersigned were appointed by the public meeting of inhabitants of Blockley, to represent their interests.

They, and Delegates from other Districts, were summoned by the Chairman of the Committee, from the Councils, to meet in their chamber. They were formally organized, made him President, and a member of his committee, Secretary. Their proceedings, were thus sanctioned by the City Councils.

A full exposition of all the facts, an elaborate discussion of all the difficulties, and an ample display of all the labours; connected with his task, were made by the zealous Chairman, in aid of his printed report.

But as it was contended, that deductions were drawn from premises, which were not admitted—that private rights as well as public interests were about to be in-

vaded, and that, as the river was the *great highway of the Commonwealth*, it was unanimously resolved,

That a law should be sought, requiring the *Canal Commissioners* to cause the necessary surveys to be made, by competent engineers; and thereupon to report to the Legislature; with whom it was urged, the control of property *beyond the jurisdiction of the City*, and the direction of a river, essential to the purposes of the Commonwealth, alone rested.

Wherefore the Chairman of the Committee, from the late Councils, desired to press the object, which he had so much at heart, at the moment when the Delegates whom he had convened, had performed all that had been required; and wherefore the Chairman of the Committee of the present Councils, has passed by the proceedings of a body of respectable citizens, so formally convened, the undersigned presume not to inquire. But relying upon the known wisdom and high sense of right of the body over which you preside, they urge that the proceedings of the Delegates from the adjacent Districts, be transmitted to Harrisburgh when a Law shall be sought, by the City Councils, to proscribe boundaries in the Districts, which they do not represent.

JOHN HARE POWELL,
E. S. BURD,
T. MITCHELL,
RICH. HANDING,
JOHN BRITTON,
HUGH McILVAIN.

Mr. Gilder presented petitions praying that Filbert street between Schuylkill Fifth and Seventh streets, Cherry street between Schuylkill Sixth and Seventh streets, Sheaff's alley and Diamond street be paved, which were referred to the Paving Committee.

Mr. Elliot presented a communication from Charles Pierce in relation to the New England Institution for the blind, with two pamphlets, which were referred to the Committee on Will's Legacy.

Mr. Chandler as Chairman of the Committee on the Girard College, reported an Ordinance which was ordered to be printed.

Mr. Gilder, as Chairman of the Paving Committee, offered the following resolution which was adopted.

Resolved, by the Select and Common Councils, That the City Commissioners be, and they are hereby authorised to lease, under the direction of the Paving Committee, to Jacob Sewell, for the term of three years, to commence at the expiration of the present lease, for two hundred and fifty dollars *per annum* payable quarterly, the wharf at the end of Spruce street on the river Schuylkill; he giving approved security for the payment of the rent. The city reserving the right of removing the crane when they think proper.

Mr. Morris offered the annexed resolution, which was laid on the table.

Resolved, That the Committee on — be instructed to inquire how far the city property will be affected by the operation of the lien law in case the monument authorised by the Ordinance passed the 19th day of February, 1833, entitled an Ordinance, &c. should be erected on the Washington Square, without funds adequate to the undertaking, and debts be contracted for materials found, and work and labor done, and liens for the same should be entered against the monument and square of ground.

Mr. Maitland, as Chairman of the Committee, made the annexed report and resolution which were adopted.

The committee to whom was referred the application of Mr. Spencer Dewees, for renting the house on the drawbridge, deem it expedient to grant a renewal of his lease, believing that the public improvements about being commenced in that neighborhood may require a different disposition of said property as soon as such improvements are made, the committee therefore offer the following:

Resolved, That the City Commissioners be instructed to rent to Spencer Dewees for one year from the expiration of his present lease the house on the Drawbridge at the same rent for which he now holds it subject to be removed any time after the expiration of said term by receiving three month's notice.

The annexed communication was received and referred to a joint committee of two members of each Council, and Messrs. Morris and Gowen were appointed the committee on behalf of the Common Council, but was laid on the table in the Select Council.

To the Presidents of the Select and Common Councils of the city of Philadelphia.

Gentlemen,—I enclose you a memorial of the Permanent Bridge Company, addressed to the Legislature of this state, remonstrating against the repeal or alteration of certain provisions of the Act of the 4th April, 1831, prayed for by "the West Philadelphia Canal Company."

A bill framed agreeably to the petition of the Canal Company, has been reported, and is now on the files of the Senate.

As all these provisions of the Act of the 4th April, 1831, were inserted in that law, *with the express agreement of the Canal Company*, and were intended to secure the western approach to the Permanent Bridge from all interruption and impediments, and as the Bridge Company believe that their repeal or alteration will not only be highly injurious to them, but may vitally affect the interests of the city of Philadelphia, and the state at large, I have been requested by the Company to ask you to lay the matter before Councils, as a subject worthy of their immediate attention.

I am very respectfully,
GEORGE RUNDLE,
Treas. S. P. Bridge Company.

February 28, 1833.

SWANS.—In the early part of last month a flock of swans, twenty or twenty-one in number, were noticed floating about in the atmosphere, in Cussewago township, in this county, for two or three days in succession, the weather during all this time was very thick and heavy. Like the bewildered mariner in a dense fog, they appeared utterly at a loss how to direct their course. Apparently overcome and exhausted by fatigue from the length of time they had been on the wing, they descended to the earth, in the open fields, &c. and many of them were easily captured by the citizens of the neighborhood, being unable to rise again. One or two were shot and found remarkably fat, each yielding feathers equal in quantity, and of a very superior quality, to what is usually taken from four or five domestic geese. They are already, we are assured, quite docile, freely associating and feeding with the ordinary geese.—*Crawford Messenger*.

LAW RESPECTING INSOLVENT DEBTORS.

Passed at the Session of 1832-33.

An act to authorize the Prothonotaries of the several Courts of Common Pleas of this Commonwealth to take security, and discharge insolvent debtors from arrest, and for other purposes.

Sec. 1. *Be it enacted, &c.* That from and after the passage of this act, the prothonotaries of the several Courts of Common Pleas of this Commonwealth, shall be authorized and required to take security and discharge insolvent debtors from arrest, on application to them made, in as full and ample a manner as any president or associate judge of the said courts may now do by virtue of the provisions of the act of assembly, passed the twenty-eighth day of March, one thousand eight hundred and twenty; and also to discharge debtors destitute of property for their support, as fully and amply as any judge may now do, under the provisions of the

nineteenth section of the act of the twenty-sixth March, one thousand eight hundred and fourteen, entitled "An act for the relief of insolvent debtors."

The remaining sections are of a local character.

Approved March 30, 1833.

WESTCHESTER.—The Westchester Register says: "Property is still rising in our borough. A lot on Market street, twenty-eight feet front and forty feet deep, sold a short time since, at public sale, for \$500. Another lot on the same street, twenty feet front and a hundred feet deep, was since sold at private sale for \$425. When the rail road is extended along the streets of our borough, as it undoubtedly will before long, the legislature having passed a law for that purpose, we may calculate on a rapid rise of property, a great increase of business, and extensive improvements throughout the place. We cannot conceive of any thing that would be likely to add to its prosperity and growth so much as the extension of the rail road to different parts of the borough. We hail the enacting of the law as a happy result for the general prosperity of the town."

STOCKING KNITTING MACHINE.

We have been very much pleased with a little machine for knitting stockings shown to us a day or two ago by Mr. John McMullen, of Birmingham, Huntingdon county, Pennsylvania. It occupies about a cubic foot, and is operated upon by turning a crank, which requires no more power or skill than a common hand organ, except when necessary to widen or narrow the stocking a stitch is dropped or added by hand. The machine does the work of six expert knitters, and is very simple. It is superior to the stocking loom, as that requires an apprenticeship to learn to work it, and is not calculated for families. The present machine can be worked by any intelligent little girl, after a few minutes instruction, and is not costly—fifteen dollars including the patent right. The machine we saw is best calculated for knitting wool, but we believe it can be readily adapted to cotton, silk, or linen, at pleasure.—There are none of the machines for sale, the proprietor only wishing to sell patent rights, except in Pennsylvania. Any further information may be obtained from Mr. McMullen, whose address is given above.—*American Farmer.*

OLDEN TIME.

The old red Store-house in Promfret street, a few doors above the office of this paper, belonging to Mr. Peter Ihrie, sen., was pulled down a few days since, to make room for a new brick building, which is to be reared this season. There is an incident connected with this old building, worth mentioning. It was built upwards of 70 years ago, and in it was kept the *first English School* that was opened in Northampton county.—Northampton then included Lehigh, Pike and Wayne. What a change in the face of things has taken place! "The Schoolmaster is now abroad," and our hundred little villages in the district can each boast of a building where "young ideas are taught to shoot."—*Easton Dem.*

BEARS!—We occasionally meet with a newspaper paragraph under the above caption, boasting of the capture of a Bruin, and giving the particulars of the adventure. Every week during the last three months, we might have manufactured a paragraph on the exploits of our Juniata huntsmen, in taking numbers of this fine game; but we have preferred doing the business by wholesale.

We think we have a fact to state, which will leave the hunters of the neighbouring counties on the back ground, viz: The Messrs. Hoffmans, residing about four miles from Mifflintown, have, during the past winter, taken *thirteen Bears*—seven were killed on the spot—and the remaining six were taken home "alive

and kicking." Their last haul was made on Saturday the 30th ult. when three were made captives. The flesh is ready sale at 4 and 5 cents per pound—and a skin worth from 3 to 4 dollars. The living animals, yet remain on hand in thriving order.—*Juniata Free Press.*

From the New York Daily Advertiser.

FUEL.

Every individual is more or less interested in this important article. It forms an important item of expenditure to the rich and the poor: one of absolute necessity, and which contributes hourly to our comfort and convenience. To ascertain the real consumption of this great and growing city, is not only interesting to those who have the government of it; but also to the citizens at large. Various speculations have, from time to time, been made concerning the quantity that would be required for a year's consumption, from the supposed supplies that have been sent here; but as a large portion of these are taken from neighboring towns, it has been very difficult to ascertain with any degree of accuracy, the real consumption.

We are now enabled to furnish as correct a statement as probably can be given, and in fact one that is as accurate as the nature of the case will admit of.—The Common Council, about two years since, appointed sworn inspectors to weigh all Anthracite and hard Coal, and to make quarterly returns of the same; and as the inspectors of Wood have long been compelled to make returns under oath, we have now a correct source of information. We have, therefore made the following abstract from the official returns, which will be found to be highly interesting. The statement does not, however, embrace foreign Coal, which, if it were ascertained, would greatly add to the amount here given.

Number of loads of Wood inspected in 1832.			
35,368 loads of Hickory Wood,			\$105,526 87
192,761 do Oak, do			434,686 00
37,783 do Pine, do			75,701 89
265,912 loads,	Am't sold for	\$615,914 76	

Number of tons of Anthracite Coal inspected and sold to consumers in 1832.

	Tons.	Average price.	Amount.
Jan. Feb. March,	7759½	\$13 29½	\$183,196 91½
April, May, June,	5,433½	9 69	52,547 55½
July, Aug. Sept.	15,649½	10 15	158,840 82½
Oct. Nov. Dec.	21,329½	10 29½	219,210 12½
Total	50,162	\$10 65	\$513,797 52½

Virginia coal inspected in 1832.

	Chaldron.	Price.	Amount.
Jan. Feb. March,	2,339	\$9 70	\$11,510 13
April, May, June,	3,336	8 82½	30,320 72
July, Aug. Sept.	2,286	8 05½	18,412 60
Oct. Nov. Dec.	3,085	9 17	28,292 77
Total	11,046	\$8 94	\$99,717 34

Charcoal.

	Tubs.	Price.	Amount.
Jan. Feb. March,	42,385	27 cts.	\$11,510 13
April, May, June,	124,221	28½	35,554 63
July, Aug. Sept.	95,045	28	26,607 93
Oct. Nov. Dec.	86,140	30	26,405 39
Total	347,792	28½	\$100,078 08

Recapitulation.

265,912 loads of Wood,	\$2 31½	\$615,914 76
50,162 tons of hard Coal at	10 65	513,797 52
11,046 chaldron Va. do. at	8 94	99,717 34
347,792 tubs Charcoal,	28½	100,078 08
		\$1,369,507 80

Thus it will appear that the cost of fuel for one year, is one million, three hundred and sixty nine thousand, five hundred and seven dollars and eighty cents, which calculating the population at two hundred and twenty thousand, is a fraction over six dollars to each individual.

The above statement only embraces the quantity of wood and American coal, sold to citizens for consumption; and does not embrace the large quantity of Liverpool, Sidney, Pictou, and other foreign coal used by the citizens and for manufactures; nor does it include the pine wood used for steamboats.

From the Kittanning, Armstrong Co. Pa. Advertiser, April 10.

A SILVER MINE.—Yesterday we were shown a bar of nearly pure silver, which has been obtained from ore found in Sugarcreek township, in this county. The gentleman who found the mine states that he took 27 lbs. to Pittsburgh, and on being tried yielded $1\frac{1}{2}$ lbs. of pure silver.

There is also a considerable quantity of copper in the vicinity, and he exhibited a piece, about a $\frac{1}{2}$ of a lb., which he had collected. The 27 lbs. of ore was obtained by one man, in one day's labour. The bar shown us was worth about \$20, and the mine will, no doubt, be very productive.

FLOUR AND MEAL INSPECTIONS.

Amount of Flour and Meal inspected in Philadelphia from December 31st, 1832, to March 31st, 1833, compared with the same period in 1832 and 1831.

		1833	1832	1831
Superfine Flour,	brls	47,820	88,749	120,851
Do do half	brls	4,427	5,764	4,948
Scraped do	brls	3,937	8,543	6,446
Do do half	brls		52	
Condemned Flour,	brls	1,136	4,886	3,719
Do do half	brls		137	
Middlings,	brls	340	450	267
Rye Flour,	brls	4,252	3,011	1,625
Do do condemned	brls	286	134	
Corn Meal,	brls	6,667	1,135	1,789
Do do condemned	brls			51
Do do	hhd	722	897	701

During the first quarter of 1833, there were 25,633 barrels Wheat Flour inspected in Market street, and on the Schuylkill, &c. not included in the above report.

From the Locomotive Chronicle.

MR. CUMMINGS.—The statement published by you as coming from the son of a revolutionary veteran, as stated to be communicated to him by his father, of the taking of the Hessians at Trenton, is a little incorrect in some particulars; perhaps he has misunderstood his father. The place of crossing the river is correctly stated, which commenced about dusk the preceding evening. After our army had all crossed, we commenced the line of march; snow on the ground, very cold, and many frozen feet as he observes. Our advance fell in with the enemy's piquet at break of day, at General Dickenson's house, and from there to town our army kept a pretty brisk pace, and was in town within two or three minutes as soon as the enemy, many of whom were shot in their flight. Many of the enemy in town appeared to be just emerging from their rest into the streets panic-struck; some not half dressed. The principal part of the killed and wounded were shot in the streets before there were any formed; two ran together to a cellar door and while lifting it were shot dead, and fell both together on the cellar steps, and were stone dead when I came to them, lying exactly in one posture side by side. There were but about three hundred of them that did form in the south end of the town, or rather below it, and made but one regular fire, when they surrendered. There were no

pushing of bayonets, as stated in that communication. The left wing of our army by this time had got possession of the Bridge, to prevent escapes, just in time to stop six beautiful brass sixes that were limbered and the horses hitched ready for flight. This was a great accession to our park, not having one brass field piece at that time in the army. Those that were quartered in that part of the town south of the creek, said to be about three hundred, made their escape, many of them without a tatter on, but their shirts and what clothes they caught in their hands as they started, and ran to Bordentown, four miles in a most tremendous storm of hail, sleet and snow. This enterprise, if it could have been effected as arranged by Gen. Washington, would have been doubly successful, but the elements combined prevented it. Gen. Cadwallader, with about two thousand militia, chiefly from Philadelphia city and county, was to have crossed at Dunk's ferry five miles below Burlington, where lay eight hundred Hessians, to have surprised and taken them, and proceeded on to Bordentown where lay four hundred more, and to have formed a junction with Gen. Washington; but the snow that had previously fallen had formed so much slush in the tide water, congealed together by the cold and floating up and down with the tide, rendered it impossible to cross. In this affair there were seventeen Hessians killed, and twenty-eight wounded: the dead were buried all in one hole a little out of the east end of the town. We lost two killed and five wounded slightly; among the wounded was the late venerable ex-president Monroe, then Captain Monroe of the Virginia troops.

The account of this affair in Ramsay's History of the American Revolution is somewhat erroneous—as well as some other parts of that history are quite imperfect.

JOHN BORROWS.

April 22d, 1832.

WILLIAM BUTLER, ANOTHER VETERAN, a citizen of Philadelphia, and a native of Pennsylvania, and who has seen much actual service in the revolution, was, by the liberal spirit of the recent legislature of Pennsylvania, allowed a gratuity of forty dollars, and a pension of forty dollars, annually, for life, from the state. We find the following interesting history of the services of Mr. Butler, in the papers presented to the legislature by him.

In his petition, he states, that he is a resident of the city of Philadelphia, *in the hundred and fourth year of his age*; was a soldier of the revolutionary war, and served as such from the commencement until the conclusion, through which he assisted in fighting the battles of his country, by which means the independence we now enjoy, was obtained. He further states, that "he now takes the liberty of soliciting from his native state, such assistance as has heretofore been granted to others on similar applications; this may be considered his last request, and if granted, will be thankfully received to smooth the few remaining days it may please Providence to continue his stay among men; he never having received any thing in land or money from his native state." Accompanying the petition is a statement of his services, sworn to, before Aldermen Binns and Badger. The affidavit contains the following facts.—The petitioner was born on the 15th of February, 1730, at a place called the Gulf, then in Chester county, now, as he understands, in the township of Lower Merion, in Montgomery county, Pennsylvania. He served under Major General Washington, in the provincial corps called the "Pennsylvania Greens," and was in the battle in which General Braddock was defeated, but escaped without a wound. On the 13th of December, 1775, he went out as a volunteer to fight the battles of country against Great Britain, and was at the defeat of the Hessians at Trenton, on the 24th of said month. On the 16th of February, 1776, he enlisted as a private soldier in Capt. Roberts' company, in the fourth Pennsylvania regiment, then commanded by Colonel, after-

wards General Anthony Wayne, which regiment was in 1778, incorporated into the ninth regiment, commanded by Col. Francis Johnston, and so remained to the end of the war. From the time of his first enlistment, as above mentioned, to the end of the war, he remained a private soldier, his highest rank being that of a fugelman, and did not leave the army or the Pennsylvania line until he had seen the British embarked at New York, on board their ships, when the whole army was discharged by Gen. Washington with his blessing, but not a farthing in their pockets; as no money was given to the troops to return home, the paper money which was offered being worthless. He received five wounds in different engagements during the war, the marks of which are still plain to be seen. Since the war, he has made his living as well as he could, but always honorably; but now he is old, infirm, and poor, and has nothing to support himself and his wife, who is also old and infirm, except eight dollars per month, which he receives from the government of the United States, as a pensioner under the laws enacted to that effect. He also states that his hand so shakes, that he cannot sign his name, but must make his mark.

Peter S. Du Ponceau, and James J. R. Malenfant, Esquires, in an affidavit attached to the statement of Mr. Butler, say that they have known him between thirty and forty years, during which time he has resided in the city of Philadelphia, and all that time they have known him to be an honest citizen, worthy of credit—that they believe the statement made by him to be true, and that he is esteemed and respected wherever he is known, and is generally reputed to have been a soldier of the revolutionary army. His recommendation is signed by Lewis Walker, Peter S. Du Ponceau, Francis Cooper, William Shipley, General Robert Patterson, Caleb North, Henry Witmer, Thomas A. White, Bishop White, James Montgomery, and Thomas J. Petriken, Esquires. Mr. North writes opposite his signature "Mr. Butler is a man of a thousand, and worthy of the attention of the legislature." Mr. Walker says, "The above petitioner I well remember, was one of the first men enlisted in General, then Colonel Wayne's brigade in 1776; he was then called 'Old Butler,' by the young men in the neighborhood."

The generous spirit of the citizens of Washington, under the patronage of the President and heads of department, have given a concert, at which some of the best vocalists and performers of the country officiated, for the benefit of Andrew Wallace, to assist in promoting the comforts of his journey home. We are proud to bear record of such patriotic munificence, and should be happy to chronicle something of similar import nearer home, with respect to the other veteran of the revolution, William Butler. The pension which he gets is but about \$130 yearly, a sum we should suppose, rather inadequate for the sustenance of himself and family at a time of life like his, in a city like Philadelphia. Could not our liberal brethern of the press in that city, the place of his residence, suggest some plan of drawing public attention to the subject? In a city so famous for its benevolence and liberality, surely, a hint will be sufficient to draw some of the noblest feelings of our nature and our country, into immediate and effectual operation.—*Harrisburg Reporter*.

LIBERAL DONATION.—Our fellow citizen, WILLIAM SWAIN, Esq., has given to a religious society a lot of ground between Walnut and Locust streets, on Schuylkill Third street, for the purpose of having erected thereon a house for public worship. We believe it will be built and chiefly occupied by the Methodist Episcopalians. We believe there is now no church west of Broad street, and yet the population is very numerous, and is continually increasing. The house will be open to all who wish to attend, and we cannot doubt that a beneficial influence will result from its location, of course in its erection, an eye will be had to a basement story for schools.

This lot, from its size and location, we should suppose, would now be worth between three and four thousand dollars; and the improvements in that portion of the city insures a constant rise in all real estate.—*U. S. Gaz.*

OBELISK.—An Obelisk near to the road communicating with the Philadelphia and Columbia railway, on Belmont, formerly the residence of the late Judge Peters, is at present an object of much speculation and curiosity as to its origin. Some persons have supposed that it was designed to denote the precise spot where an Indian Treaty had been made—others imagined it to designate the place where a distinguished character was buried, and many conjectured it was built to record an historical event of some importance. It is not a matter of wonder, that this Obelisk should attract the attention of the stage passengers, standing as it does in a little grove of cedar bushes: about twenty-five feet in height, and bearing the marks of age. This Obelisk was erected by an ancestor of Judge Peters, as a handsome termination to a Vista, for which it was peculiarly adapted, but it is at present divested of its picturesque character, and stands a monument of departed grandeur and an object of curiosity to the passing stranger.—*Lancaster Miscellany*.

DIED.—On Sunday the 1st instant, at his residence in Hempfield township, Mr. JOSEPH KEYLOR, Sen. in the 77th year of his age. Although the deceased for many years past, lived remote from the bustle of a busy world, and became almost a stranger in the neighborhood where he spent his strength, yet his patriotic services are still remembered by all the lovers of American Independence. About the commencement of the American Revolution, he was snatched from his beloved country and widowed mother, on the coast of Germany, by the unrelenting hand of a British press gang, to correct their revolting American children; but the first opportunity which offered, he escaped from the British and their unrighteous cause, and fled to the standard of liberty under Washington. He distinguished himself as an active and brave soldier in three severe engagements, and after his service as a soldier, he settled in this county where he spent the remainder of his life in peace. He has left a numerous offspring to lament his loss. Long live the memory of those who risked their lives, in aiding to establish American Freedom.—*Com.*

DIED.—In Pittston, on Sunday, March 31st, at the house of her son James, Mrs. *Armstrong*, at the advanced age of 88 years. It is somewhat extraordinary and worthy of note, that the disease which terminated her life, was the *measles*. Singular, indeed, that she should have escaped so long, and at an age so far advanced, fallen a victim to a disorder so common. The measles have prevailed from Wilkesbarre north-easterly through Pittston, during the winter and spring, more generally than ever was before known. It is not too much to say, that many hundred in these two townships have passed through the disorder, and among them a good many married people. It cannot be said to have been malignant, though some deaths have been occasioned by it, especially of persons who were in imperfect health at the time of taking them.—*Wilkesbarre Her.*

HISTORICAL SOCIETY OF PENNSYLVANIA.

A stated meeting of the Historical Society of Pennsylvania, will be held in the Philosophical Hall over the Athenæum, on Monday, the 6th instant, at 8 o'clock in the evening.

J. R. TYSON, Secretary.

May 4th, 1833.

HAZARD'S REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

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PHILADELPHIA, MAY 11, 1833.

NO. 280.

REPORT ON MAUAL LABOR ACADEMIES.

Report of the Committee on Education, on the subject of Manual Labor Academies, in pursuance of a resolution passed by the House of Representatives, December 14, 1832,—by Mr. Matthias. Read in the House of Representatives, February 21, 1833.

The Committee on Education, directed by a resolution of the House, passed 4th Dece. 1832, to inquire into the expediency of establishing, at the expense of the state, a Manual Labor Academy, for the instruction of persons to officiate as teachers in the public schools which are or may be established in this commonwealth; and whether such an institution can be sustained without other aid than that necessary to erect suitable buildings, *report:*

That believing the subject involved in the resolution referred to them, especially as connected with the deficiencies of the state in teachers and schools for the instruction of our juvenile population, one of considerable importance, they have given it their earnest attention.

The number of individuals within the bounds of our state, who are qualified, by acquirements and habits, to undertake the tuition of children, is unquestionably limited. The circumstance is to be attributed not so much to the want of means to acquire this kind of education, as to the general apathy which for years has been manifested by our people, in regard to the intellectual instruction of their children. The ordinary primary schools in the several counties of this state, are not based upon such principles of liberality and enterprise, as offer inducements to men of genius and talent to undertake their charge; and hence, it is found, that the great mass of our school teachers are not remarkable either for extensive literary attainments or practical experience in the best modes of instruction.

This deficiency, it is fair to presume, is a natural consequence of the indifference of our people towards the mental instruction of youth. If there were scholars and schools, there would be teachers. Men of talent would find it their interest to engage as teachers, and the whole business would regulate itself.

The committee, in a recent report to the House, gave such a notice of the state of education in our commonwealth, as renders further reference to this branch of the subject at this time unnecessary. They submitted, with that report, a bill providing for the establishment of a sufficient number of schools, to afford every child in the commonwealth the means of obtaining a practical education. To take charge of these schools, and render the scheme ultimately efficient, it will be necessary to secure the services of competent teachers. With the view of obtaining such, it is believed to be expedient to establish a college or seminary, under the immediate patronage of the state, where pupils shall pursue a course of studies with direct reference to this object.

In instituting inquiry and investigation into the various plans and theories upon which colleges have been founded, the committee have been forcibly struck with the success which has attended the experiment of Manual Labor Academies, several of which are in existence in this country, two in our own state. From a careful examination of the nature of these institutions, and the

principles upon which they are based, and from information derived from gentlemen well versed in education, as well as from personal observation, the committee are fully convinced, that whatever prejudices may heretofore have existed against the manual labor system of instruction, it is one peculiarly adapted to supply, in an economical and efficient manner, our present wants. It comprises manual with intellectual labor, and recognizes as well the development of the powers of the body, as increasing the strength and cultivating the various faculties of the mind.

Manual labor employment, in colleges of this description, is of two kinds—agricultural and mechanic.

The cultivation of the earth is a pleasant employment, simple in its operations and profitable to the laborer. This pursuit in life has many advantages over most others. The farmer is more truly independent than any other man, or set of men in our commonwealth: He has but few wants, and those wants are readily supplied: He knows less of the distinctions of aristocracy which prevail in all societies, to a greater or less extent; and the nature of his business affords him an opportunity for useful study and reflection.

The more simple of the branches of the mechanic arts, are included in this system of instruction, designed to afford the pupil some knowledge of the principles of science, in their practical application to the business of life. It cannot, of course, be expected that occasional employment in the work-shop, will make the scholar proficient as a mechanic, neither is this included in the design; but it is confidently anticipated that this practical manual labor, under the eye of an experienced artisan, will be of great utility to the pupil, in testing his genius, and in bending his mind to observation on useful subjects. The scholar will be taught to make himself of service in every capacity and situation—to *provide for himself*, so that when thrown upon his own resources, the information he has acquired in school, may be advantageously applied.

The extent of these two branches of manual labor, is intended to occupy only the time which, in other colleges, the students devote to idle recreation, and will in no case exceed three hours daily. The ball and kite will give place to the spade and jack-plane, and instead of a waste of time in foolish and trifling, if not mischievous pursuits, the student will, in a more reasonable, though not less amusing recreation, find the means of honestly contributing to his own support and education.

The advantages of this system of instruction, have long been familiar to the enquiring minds of many philanthropists. The enterprising and benevolent Fellenburg, whose unlimited experience in the subject of education renders him high authority, has satisfactorily proved the value of Manual Labor Academies. His institution at Hofwyl, Switzerland,—which connects manual with intellectual labor, is a beautiful illustration of the benefits arising from this mode of tuition.

Similar institutions, in the New England states, have been no less successful, though on a scale much less extensive. The theological seminary at Andover, Mass., which is fitted up with a work-shop, tools, &c. at a cost of about five thousand dollars, contains one hundred and fifty pupils, who labor three hours daily, with manifest advantages. Another institution, in the same place,

contains about sixty young men, in indigent circumstances, who, by their labor, between the hours of study, are able to pay *more than one-half* the expense of their instruction. It is mentioned, greatly to the credit of these young gentlemen, that practising upon the useful lessons of industry acquired in their school, most of them, in the winter season, take charge of primary schools in their vicinity, in which they convey to others that information which they have obtained through their own perseverance and the liberality of their patrons.

The Oneida Institute of Science and Industry, which has been in existence in the state of New York several years, is now in a flourishing condition, the project having resulted even more satisfactorily than was anticipated. The number of applications for admission annually increases, and the trustees are obliged frequently to turn away pupils, anxious to obtain the benefits of the institute.—*See note B.*

The trustees of the Pennsylvania College at Gettysburg, have recently made preparations for connecting a workshop with their academy, and similar arrangements, effected some time since, by the trustees of the La Fayette College, at Easton, have been found decidedly advantageous. Indeed, the committee scarcely entertain a doubt, but that the example will soon be followed by almost every college in the country, where either economy or the health of the pupil is taken into consideration.

The committee beg leave to sum up, as the result of their investigation, and as their convictions, the following propositions:

First—That the expense of education, when connected with manual labor, judiciously directed, may be reduced at least one half.

Second—That the exercise of about three hours manual labor, daily, contributes to the health and cheerfulness of the pupil, by strengthening and improving his physical powers, and by engaging his mind in useful pursuits.

Third—That so far from manual labor being an impediment in the progress of the pupil, in intellectual studies, it has been found that in proportion as one pupil has excelled another in the amount of labour performed, the same pupil has excelled the other, in equal ratio, in his intellectual studies.

Fourth—That manual labor institutions tend to break down the distinctions between rich and poor which exist in society, inasmuch as they give an almost equal opportunity of education to the poor by labor, as is afforded to the rich by the possession of wealth; and

Fifth—That pupils trained in this way, are much better fitted for active life, and better qualified to act as useful citizens, than when educated in any other mode—that they are better as regards physical energy, and better intellectually and morally.

In accordance with these views and opinions, the Committee on Education submit a bill providing for the establishment of a Manual Labor Academy, under the immediate control of the state.

NOTE B.

Extract of a letter from George W. Gale, Esq. Superintendent of the Oneida Institute, N. Y. dated Feb. 13, 1833.

"Your letter of inquiry, dated January 21st, was received yesterday. I am happy to give the 'committee on education in the legislature of Pennsylvania,' of which you are a member, the information they desire respecting the Oneida Institute. This institution commenced in this place in the spring of 1827. The farm consists of 115 acres of the best land, with the exception that a considerable portion of it is too low for ploughing. It is the best of meadow land. The farm has been stocked with thirty cows, a yoke of oxen, and two spans of horses. Three buildings have been erected; two for study and lodging rooms for students, and

one for the purposes of chapel, lecture, and recitation rooms, boarding establishment, and dwelling of the superintendent; all of which, with their furniture, cost about 12,000 dollars. The farm has been furnished with vehicles, and implements of husbandry. Shops and tools have been furnished, at a cost of about 1000 dollars. The buildings will accommodate rising of 100 students, most of them with a single room, furnished with every thing necessary, except bed and bedding. The buildings are of wood. The expense of the farm, stock, buildings and furniture, shops and tools, without taking into view expense of agents in raising funds, interest on money, and some temporary buildings and fixtures, have been twenty thousand dollars; libraries and apparatus which are yet small, excepted also.

"The plan of managing the business part of the institution hitherto, has been this: the trustees have furnished the farm, buildings, shops, &c. as above mentioned, and gentlemen have been found willing to take them, keep all in repair, and board the students, for their labor three hours a day. The gentlemen who have conducted the institution, have for the most part been teachers, and have employed a steward to direct and manage the boarding establishment, and the farming. They have employed assistant teachers also. Until within two years past, we have not had, upon an average, over forty students. It is not, as you suppose, a college; it is simply an academy. Measures are now in progress, and it is the design of the trustees, to furnish the means of a thorough and full course of classical instruction. Until the present year, those who have labored at mechanical business, have chiefly been employed on the buildings, under the direction of a carpenter. These have been allowed what they could earn, sometimes working by the hour, and at other times by the piece; they have usually earned more than their board—some have defrayed all their expenses. The present season, other kinds of business have been introduced, such as making of joiners' tools, chairs and wagons. The plan is this: gentlemen understanding these kinds of business, have given employment to students, and paid the institution for their services, according to what they could earn in the products of their labor. These are sold for cash, or exchanged for such other things as are needed in the institution. To give you a more full view of our operations, I would state, that were you here during the hours of labor, I should conduct you to the shop where joiners' tools are made; here you would see those who were raw hands, getting out stuff in the rough, others making handles; some beating out mouths, and others finishing tools. In the wagon and sleigh shop, you would see them laboring at different pieces in a similar manner; in the blacksmith shop, some ironing cutters or carts; in the cabinet shop some riving out chair stuff, others hewing, others shaving, and others turning, the same pieces passing through different hands, with a price to each kind of work. Some here are also getting out and turning bedstead stuff, and others making them. We have not yet commenced setting up chairs; this is intended, however, for another shop. You would see some engaged in making up brooms from corn raised on the farm; others sawing and splitting wood at the door, and others taking care of stock, threshing, &c. We have now rising of seventy students thus employed—one hundred belong to the institution, but some are engaged during the winter in teaching. In the summer, two thirds of them are employed on the farm and in the gardens. All the milk, most of the butter, all the meat, corn and vegetables, required for the establishment, are raised on the farm. The flour and groceries are purchased. The sale of vegetables from the gardens nearly balances the cost of flour; ordinarily, it may be made to do that. The proceeds of mechanical labor will defray the other expenses, *i. e.* of groceries, help, superintendence, &c.

"During the last year there were raised, of potatoes, turnips, carrots, cattle beet, and other roots, rising of

2000 bushels, besides other garden vegetables; corn, oats, beans and peas, about 700 bushels; of beef and pork, in nearly equal quantities. There have been made on the farm about 8000 lbs., 69 tons of hay gathered; about 200 cords of wood drawn from the woods, sawn and slip for the stove, at the door. Milk is used once a day, by nearly all the students, as an article of diet instead of tea. This, and more than three-fourths of the butter used, has been furnished from the dairy of the farm; not less than 2000 lbs. of butter have been made, I presume, during the last year. Many other kinds of labor about the farm and buildings have been performed by those considered agricultural students. During a great part of last summer, our number of students was very considerably diminished, also, in consequence of the alarm about the cholera, and for three weeks it was suspended in the midst of summer. The amount allowed to students for labor on the farm and in the shops, during the present year, notwithstanding, will be rising of 3000 dollars. The labour, three hours per day, is by no means unfavorable to study. It is beneficial to health; it is highly favorable. Many who come to this institution feeble and sickly, have been perfectly restored. That which is favorable to health, of course operates benignly upon the mind. The experiment tried here, has demonstrated the facts, that young men are willing to labor; that both body and mind are benefited, and progress in study not retarded in general, and in many cases accelerated, while the expenses of an education are diminished very considerably, with us one-half. But students live plainly, as all should live, who consult their health, proficiency, or purse. The greatest difficulty in the present state of our country, is in finding persons capable of managing such institution wisely. Experience, of course, very few have in the business. The system is one of immense importance—in any view worthy of the encouragement and patronage of legislatures, and of all who wish well to literature or their country.”

Oneida Institute.

An act for the establishment of a State Manual Labor Academy, for the education of teachers.

Sect. 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That immediately upon the final passage of this act, the Governor shall appoint three reputable and competent individuals, citizens of this commonwealth, as commissioners, to be denominated “Commissioners of the State Manual Labor Academy,” who shall serve in the capacities herein described, without pecuniary compensation, for the term of two years, and no longer, unless re-appointed. Said commissioners shall, as soon after their appointment as practicable, select, in or near the borough of Harrisburg, a suitable location for the erection of a Manual Labor Academy, where agricultural and mechanic pursuits shall be connected with intellectual and moral instruction in the English and German languages; and for this purpose, the commissioners shall have power to purchase land, erect buildings, and procure furniture, sufficiently extensive and commodious for the education and maintenance of two hundred pupils.

Sect. 2. And be it further enacted by the authority aforesaid, That upon the completion of said buildings, it shall be the duty of the commissioners appointed as aforesaid, to notify the public thereof, through at least one public newspaper in each county in the state, and receive applications for the admission of students, sons of citizens of this commonwealth; and should more pupils, properly qualified, apply than the commissioners can accommodate, then an equal number shall be received from each county in which the applicants reside, in the ratio of population as may appear from the last general census.

Sect. 3. And be it further enacted by the authority aforesaid, That the course of physical and intellectual education pursued in this academy, shall be laid down according to the judgment and experience of the said commissioners, in conjunction with the advice of a superintendent, and such qualified teachers as they may deem it essentially necessary to employ, at fair and equitable salaries, for the instruction of the pupils in this academy: Provided, That said system of education shall, as efficiently as possible, combine agricultural and mechanic labor with mental instruction: And provided also, That it shall at all times be subject to the revision and amendment of the legislature of this commonwealth.

Sect. 4. And be it further enacted by the authority aforesaid, That no pupil shall be admitted into this academy, unless between the ages of sixteen and twenty-one, nor remain for a longer period than two entire years; and every pupil receiving instruction during said period, shall be obligated, if required, to engage as a teacher in the public schools of this commonwealth, for the term of twelve months; or in default to pay to the commissioners the sum of money by them assessed as the cost of his education and maintenance, while residing in this academy, a reduction from which being made equal to the amount of his earnings at labor during said period of instruction.

Sect. 5. And be it further enacted by the authority aforesaid, That it shall be the duty of the superintendent appointed by the commissioners as aforesaid, as soon as possible after the organization of the academy, to divide the scholars into distinct classes, as nearly equal as practicable in numbers, age, and previous attainments; and from time to time, to cause the various methods of teaching, which in his judgment and in the opinion of the commissioners may be found expedient and useful, to be fully tested in regard to their moral, intellectual and physical effects upon the scholars.

Sect. 6. And be it further enacted by the authority aforesaid, That the commissioners appointed as aforesaid, shall have power to purchase materials, and employ artisans for the instruction of the pupils in the useful branches of the mechanic arts and agricultural pursuits, and authority to carry into effect such propositions, as in their judgment may be necessary to fulfil, successfully, the general objects contemplated by this act.

Sect. 7. And be it further enacted by the authority aforesaid, That it shall be the duty of the superintendent, to give annually, or oftener if required by the commissioners, to the Secretary of the Commonwealth, to be by him laid before the legislature, and published in one or more public newspapers in each county, a fair statement of the proceedings of this institution, embracing the amount of moneys expended, the number of children who apply for admission, the number educated, and the proportion from each county, the progress of the pupils in their studies, and the effects of the system upon their health, intellect, and morals, together with such other information and remarks upon the success, efficiency and prospects of the institution, as he may think necessary.

Sect. 8. And be it further enacted by the authority aforesaid, That the Governor of this Commonwealth, and the Secretary of State, shall be ex-officio members of the board of commissioners.

Sect. 9. And be it further enacted by the authority aforesaid, That the moneys necessary for the attainments of the objects herein mentioned, and for the successful support of the institution, shall be drawn on the warrant by a majority of the commissioners from the Common School Fund of the state, established by an act of Assembly passed 2d April, 1831, any thing in said act in reference to the disposal of the moneys in said fund, to the contrary notwithstanding.

METEOROLOGICAL REGISTER.
*Extract from the Meteorological Register, taken at the
State Capitol—Harrisburg, Pennsylvania,*
By JAMES WRIGHT, Librarian.
MARCH, 1833.
Time of observation at 9 A. M. and 1 and 5 o'clock P. M.

Days of the Month.	Days of Week.	Morning temperature.	Noon temperature.	Even. temperature	Mean temp. of day	WINDS.
Thermometer.						
1	Friday	25	29	27	27	N E
2	Saturday	17	14	11	11	N W
3	Sunday	10	25	27	21	N W
4	Monday	20	22	25	22	N W
5	Tuesday	19	29	29	29	S E
6	Wednesd	25	37	32	31	N W
7	Thursd'y	27	42	43	37	S
8	Friday	39	49	47	45	S
9	Saturday	32	41	45	39	W
10	Sunday	40	48	50	46	S
11	Monday	36	46	49	44	S E
12	Tuesday	36	40	39	38	E
13	Wednesd	37	37	36	37	N W
14	Thursd'y	32	40	43	38	S
15	Friday	41	50	54	48	N W
16	Saturday	39	51	54	48	N E
17	Sunday	38	50	49	46	N E
18	Monday	41	52	59	51	S E
19	Tuesday	57	68	66	64	S E
20	Wedne'y	62	66	66	65	S E
21	Thursd'y	65	67	68	67	S W
22	Friday	52	55	54	54	W
23	Saturday	45	55	63	54	N W
24	Sunday	46	60	60	55	S E
25	Monday	48	55	53	52	W
26	Tuesday	36	44	47	42	N W
27	Wednesd	36	45	47	43	N W
28	Thursd'y	32	40	40	37	N W
29	Friday	32	45	49	42	N
30	Saturday	43	50	58	50	W
31	Sunday	46	58	63	56	W

Thermometer.						
Maximum on the 21st,	-	-	-	-	-	67°
Minimum on the 2d	-	-	-	-	-	14°
Difference	-	-	-	-	-	53°
Mean	-	-	-	-	-	43°

Atmosphere.									
Days of the month.									
Morning Afternoon									
3	4	7	9	11	14	15	16		
18	23	26	29	30	31	14 days	Clear	Clear	
5	25	27				3 days	Clear	Cloudy	
6						1 day	Cloudy	Clear	
1						1 day	Cloudy	Snow	
12						1 day	Rain	Rain	
2	8	10	13	17	19	20			
21	22	24	28			11 days	Cloudy	Cloudy	
Days of the Month.									
Wind.									
29						1 day		N	
1	16	17				3 days		N E	
12						1 day		E	
5	11	18	19	20	24	6 days		S E	
7	8	10	14			4 days		S	
21						1 day		S W	
9	22	25	30	31		5 days		W	
2	3	4	6	13	15	23	26	27	28
						10 days		N W	

On the 19th at noon, Thermometer at 68° the highest. On the 2d in the evening, at 11° the lowest. Range, 57°.

The wind has been ten days east of the meridian, sixteen days west of it, one day north, and four south.

High winds on the 2d, 4th, 6th, 13th, and 22d. Rain on the 12th, and snow on the 1st. The mean temperature of this month was 3° colder than last March.

From the Philadelphia Gazette.

PROCEEDINGS OF COUNCILS.
Wednesday evening, March 6th 1833.

SELECT COUNCIL.—The City Commissioners presented their statement of accounts.

Mr. Groves as Chairman of the Committee relative to making the Permanent Bridge a free bridge, made the annexed report and resolutions, which were ordered to be printed.

The Committee to whom was referred the resolution to inquire whether the public interest and convenience would not be promoted by making the Schuylkill Permanent Bridge a free bridge, and what would be the best means to accomplish that object if deemed advisable, report as the result of their enquiries.

That the 10th Section of the Act of Assembly incorporating the Permanent Bridge Company, vests the property of the Bridge in the present Directors and Company and their successors, during and unto the end of twenty-five years, to commence when the Bridge is completed.

The same section provides for the establishment of a fund for the redemption of the bridge and rendering it free; and further provides "that if the said fund shall not be adequate to the purpose last mentioned, the Legislature may at the expiration of twenty-five years declare it a free bridge, (providing at the same time the means of keeping it in repair,) and the Company shall be obliged to take such sum of money therefore as shall be allowed on a fair appraisement by indifferent persons."

The twenty-five years have elapsed, and it will be perceived by the provision of this section that the Legislature have power to declare it a free bridge, after complying with the terms therein contained.

The Committee in order to obtain all the information they could on the subject, requested a conference with the Board of Managers, and at a meeting which was held on the 26th of December last, the President and a Committee of that Board attended, when the following questions were proposed to them by your Committee:

- 1st. What has been the actual cost of the Bridge?
- 2d. What is now the amount of capital stock?
- 3d. What is the amount of dividend declared the last year, and what has been the average amount of dividend?
- 4th. What was the amount of money borrowed, has the debt been paid, and by what means?
- 5th. What do you suppose to be the present value of the Bridge?
- 6th. What are the incidental expenses exclusive of repairs?
- 7th. Is there any, and if any, what is the amount of the reserved or contingent fund? and
- 8th. What is the number of Stockholders?

To these questions the President and a Committee of the Board of Directors have favored the Committee with what we presume to be candid answers: the whole of which will be found in a report from that Committee which accompanies this, to which we beg leave to refer Councils for a more full explanation of this subject. The most prominent point in this document and to which the committee have directed their attention, to the value of the Bridge; and on this head they quote the words of the Committee of the Board of Directors, "There may be different modes adopted by different

persons, in ascertaining the present value of this bridge, but the Committee are of opinion, that as there has been no depreciation in its value since its erection, the original cost of the structure and site which was purchased from the city in the year 1800 would be the fair-est criterion, and this would give the sum of

The present amount of stock is	\$300,000
The difference between that and the actual cost of the Bridge is	195,650
	104,350
Whole cost,	\$300,000

The difference was raised by loan on a pledge of the the property of the Company, and has since been paid by applying the whole of the income of the Company for several years of its redemption.

"Supposing that the market value of the stock is taken as a criterion:—this is 134 to 137½ for 100 paid, and 135 will give—\$264,127 50.

"Or if the nett tolls were to be adopted, calculating interest at 6 per cent, and supposing them to be \$16,000 they would give—\$266,666 66."

Your committee have selected this part of the report of the Board of Directors with the view of showing what might be the probable expense of making the Bridge free, from which it will appear that if that mode of ascertaining the value of the Bridge be adopted which produces the smallest sum (\$264,127 50) and if the city were empowered by the Act of Assembly, under which the Bridge Company held their Charter, to make it a free Bridge, the sum required for that purpose would be too large to be taken from the funds of the City in the present state of the finances.

As to the expediency of making it a free Bridge both in respect to the convenience which the city would derive from such a measure as also the more direct and palpable advantage it would afford to the citizens who use this great thoroughfare residing throughout the large extent of country to the West of it, there can be no doubt. The only means which your committee are aware of, for accomplishing this desirable object is by a direct application to the State Legislature, requesting that body to take the necessary measures for making it a free Bridge. And as the state has reserved this right and there can be no doubt but the Legislature who passed the Act of Incorporating the Company, intended the right should be exercised at the time therein mentioned, your Committee can see no impropriety in Councils adopting the following resolutions, which they recommend to their consideration.

1st. Resolved, That it is expedient that the Schuylkill Permanent Bridge be made a free Bridge.

2d. Resolved, That the Legislature of this State be requested to take the necessary measures for providing for the appointment of such number of disinterested persons as they may think proper to appraise the said Bridge and determine the value thereof, agreeable to the provisions of an Act entitled "An Act to authorize the Governor of this Commonwealth to incorporate a Company for erecting a Permanent Bridge over the river Schuylkill at or near the City of Philadelphia," approved March 16th, 1798.

3d. Resolved, That a copy of the forgoing resolutions be signed by the Presidents of the Select and Common Councils and forwarded by them to the Speaker of the Senate and Speaker of the House of Representatives requesting them to lay the same before the bodies of the Legislature of this state over which they respectively preside.

Mr. Eyre as Chairman of the Committee on the Drawbridge lot, offered the annexed resolution, which was adopted.

The committee reported on Drawbridge wharf, submit the following resolution,

Resolved, By the Select and Common Council, that the City Commissioners and City Regulator be required

forthwith to have made and submit to Councils a plan for improving the city property at the Drawbridge, so as to make such alteration of said property as shall be most to the interest of the city, and to correspond with the improvements of the city front agreeable to the Will of Stephen Girard and furnish an estimate of the expense thereof.

March 4, 1833.

Mr. Wetherill offered the following resolutions, which were laid on the table.

Whereas, forcible possession has been taken by the Schuylkill Navigation Company, of the toll house and locks at Fair Mount; and the city has been thereby deprived of the direction and control of the same, which it has exercised for upwards of eight years: and whereas danger exists that the supply of water from the Schuylkill will be greatly diminished, and if the gates be neglected, that it may be entirely cut off by the measures above referred to: and whereas the proceedings of the Schuylkill Navigation Company have been carried on, in disregard of earnest and repeated remonstrances on the part of the city authorities.

Resolved, That the City Solicitor be instructed to institute such legal proceedings as may effectually redress the evils complained of, and that the Watering Committee be and they hereby are authorized to retain additional counsel if they deem it expedient.

That if it should appear that the Schuylkill Navigation Company, in executing the contract of June 14th, 1824, have exceeded the power vested in them by their charter, the Watering Committee be and they hereby are authorized to apply to the Legislature for a confirmation of the grant and privilege thereby transferred, so far as the interest of the city of Philadelphia are concerned.

Mr. Massey reported the following Ordinance, which was ordered to be printed.

An Ordinance in relation to the setting and re-setting of Curb Stone within the city of Philadelphia.

Sec. 1. Be it ordained and enacted by the citizens of Philadelphia, in Select and Common Councils assembled, That, from and after the passage of this Ordinance, no person or persons shall set any curb stone in any of the public streets, courts or alleys, within the city, without first having permission in writing from the owners of property or their authorized agents who have been permitted or required by the City Commissioners according to law, to have the curb stone set in front of their footway, and if such owner or authorized agent neglect or refuse to do the same then such permission shall be in writing from the City Commissioners.

Sec. 2. Be it further enacted, &c. That from and after the passage of their ordinance, no person or persons shall re-set any curb stone in any of the public streets, courts or alleys within the city, unless first having permission in writing from the owners of property, or their authorized agents, or from the City Commissioners in case of neglect or refusal of such owner or agent after being duly notified to have the curb stone re-set in front of their footway, but permission must be had in writing from the Paving Committee, in either case authorizing such paving agreeable to existing Ordinances.

Sec. 3. Be it further ordained, &c. That any person or persons who shall violate this Ordinance, shall forfeit and pay for the city the sum of Twenty dollars for each and every offence to be recovered before the Mayor or any of the Aldermen of the City of Philadelphia, as all such fines are recoverable by law.

COMMON COUNCIL.—Several petitions for and against Gas were presented, and referred to the Committee on Gas.

Mr. Gilder presented a petition praying that George street from Schuylkill Front to Beach street be paved, which was referred to the Paving Committee.

Mr. Chandler moved to take up for consideration the Ordinance relative to the Girard College; and on motion of Mr. Merrick, the Common Council went into com-

mittee of the whole, Mr. Gilder in the chair, the Ordinance, after being amended, was ordered to be printed.

LAWS OF PENNSYLVANIA.

Passed the Session of eighteen hundred thirty-two and thirty-three.

An Act Relating to the escheat of lands held by corporations, without the license of the commonwealth.

Whereas, it is contrary to the laws and policy of the state, for any corporation to prevent or impede the circulation of landed property from man to man, without a license from the commonwealth, and no corporation either of this state or any other state, though lawfully incorporated or constituted, can, in any case, purchase lands within this state, either in its corporate name, or names of any person or persons whomsoever for its use, directly or indirectly, without incurring the forfeitures of said lands to this commonwealth, unless said purchase be sanctioned and authorized by an act of the legislature thereof, but every such corporation, its feeoffee or feoffees, hold and retain the same, subject to be divested or dispossessed at any time by the commonwealth, according to due course of law: And whereas, it is understood that lands are now held in this commonwealth, by trustees or feoffees to the use of corporations granted by the laws of other states of the Union: And whereas, it is due to the character of this commonwealth, as an independent state, to prevent unlawful encroachments of its power and authority, and to maintain and preserve inviolate for the advantage and good of the people all her just prerogative, and to assert her right to all lands which have been, or may be forfeited, in manner aforesaid, as well in case of land held directly or indirectly, by any company incorporated by this state, or of any company incorporated by another state, if any such there are, or which may hereafter exist, as also to institute and prosecute to effect such proceedings, for establishing her title and authenticating her right, by solemn matter of record, to said forfeiture or escheated lands, and for recovering possession thereof, and seizing the same into the hands of the commonwealth as may be lawful, and at such time or times as the said commonwealth may deem expedient and proper:

Sec. 1. Be it enacted, &c. That as often as information shall be given to the Auditor General that any lands within this commonwealth have been alienated to, or purchased by any incorporated company, in its corporate capacity, or in the name of trustees or feoffees, for its use, without the license of the commonwealth, or have come into their possession by any manner or device whatever, the said Auditor General shall proceed to appoint a deputy escheator, in the county where the lands are situated, who shall forthwith hold an inquest, in the same manner and form as is prescribed by existing laws relative to escheats, and shall make report thereof, as directed by said laws, and the said deputy escheator and all other officers and persons concerned, shall have like powers, be entitled to like fees, and be subject to the same restrictions and liabilities, as is provided in the case of the escheat of the lands of an individual, for the want of heirs or known kindred.

Sec. 2. And be it further enacted, &c. That if the said associations, now engaged in mining, shall discontinue all their operations under their several acts of incorporation, within one year, then, and in that case, the commonwealth does hereby release to the individuals composing said associations, according to their respective interests, all the right title and interest which the commonwealth has acquired to the real estate of said associations, respectively, in pursuance of the laws and statutes relating to mortmain.

And Whereas, the Delaware coal company, and the North American coal company, have petitioned the Legislature, setting forth that they have embarked large capitals in the purchase of coal lands, and have

expended their money liberally in the construction of rail roads, and are now extensively engaged in the business of mining and transporting coal, and that they could not, without great loss to those concerned in the business, cease their operations, and praying the Legislature, in consideration of these circumstances, to grant them a period of years sufficient to remunerate the stockholders for the heavy expense incurred by them: And whereas, it has been represented to the Legislature that the stock in the two companies aforesaid, is now principally owned by the citizens of Pennsylvania.

Sec. 3. And be it further enacted, &c. That the said Delaware coal company, and North American coal company, be, and they are hereby authorized to continue their operations, with all the powers and privileges, and subject to all the liabilities of corporations created in this commonwealth, on the lands now held by them, under their respective charters, for a period of three years, and no longer, from and after the passage of this act; before, or at the end of which period, the said companies shall dispose of the lands, and cease all operations under said charters; upon which sale, the right of this Commonwealth, by virtue of the laws and statutes relating to mortmain, shall be thence forth released to the purchaser or purchasers, saving to all persons having prior equitable rights to the lands to be released in this, and the next preceding sections of this act, their just rights as fully as if the release of the legal title of this commonwealth had been made to the persons justly entitled, as aforesaid: Provided however, if at any time it shall appear to the Legislature that the operations of the said companies or either of them have proved injurious to the interests of the community, the Legislature reserve the right to repeal this section, and annul the privileges hereby granted: Provided, That if at any time the officers of the two companies last aforesaid, should be absent from this state, so that no process can be served on said companies, the said companies may be proceeded against by foreign attachment.

Sec. 4. And be it further enacted, &c. That so much of any provision of the act entitled "An act to declare and regulate escheats," and its supplements, as provide for a reward to informers of an escheat, shall not apply to any proceedings under the provisions of this act, so as to entitle any informer to such reward, but it shall be the duty of the escheator to procure the necessary evidence to substantiate the title of the Commonwealth, and to prosecute the right of the Commonwealth; who shall receive for his services the fees and compensation provided for by the several sections of said act, and its supplements.

Sec. 5. And be it further enacted, &c. That the Auditor General shall make return of the proceedings in every case where an inquisition shall be found and returned, as aforesaid, to the Governor, to be filed in the office of the Secretary of the Commonwealth, all which matters and things shall be laid by the Governor before the Legislature.

Approved, April 6, 1833.

An Act relating to last wills and testaments.

Sec. 1. Be it enacted, &c. That every person of sound mind, married women excepted, may dispose by will of his or her real estate, whether such estate be held in fee simple, or for the life or lives of any other person or persons, and whether in severally joint tenancy or common, and also of his or her personal estate.

Sec. 2. Provided, That a married woman may, under a power legally created for the purpose, dispose of her real or personal estate by will or appointment in nature of a will, and that any married woman may with the assent or licence of her husband dispose of her personal estate by will.

Sec. 3. And provided also, that no will shall be effectual unless the testator were at the time of making the same of the age of twenty-one years or upwards, at

which age the testator may dispose of real as well as personal or mixed property, if in other respects competent to make a will.

Sect. 4. Every person competent to make a will as aforesaid, being the father of any minor child unmarried, may devise the custody of such child during his or her minority, or for any shorter period.

Sect. 5. The emblements or crops growing on lands held by a widow in dower, or by any other tenant for life, may be disposed of by will as other personal estate, also rents and other periodical payments accruing to any such tenant for life, or to any other person entitled under the laws of this commonwealth regulating the descent and partition of real estate, may so far as the same may have accrued, on the day of the death of such tenant for life, or other person be disposed of by will in like manner.

Sect. 6. That every will shall be in writing, and unless the person making the same shall be prevented by the extremity of his last sickness, shall be signed by him at the end thereof, or by some person in his presence, and by his express direction, and in all cases shall be proved by the oaths or affirmations of two or more competent witnesses, otherwise such will shall be of no effect.

Sect. 7. Provided, That personal estate may be bequeathed by a nuncupative will under the following restrictions.

1. Such will shall in all cases be made during the last sickness of the testator, and in the house of his habitation or dwelling, or where he has resided for the space of ten days or more, next before the making of such will, except where such person shall be surprized by sickness being from his own house, and shall die before returning thereto.

II. Where the sum or value bequeathed shall exceed one hundred dollars, it shall be proved that the testator at the time of pronouncing the bequest, did bid the persons present, or some of them, to bear witness that such was his will, or to that effect: And in all cases, the foregoing requisites shall be proved by two or more witnesses who were present at the making of such will.

Sect. 8. Provided, That notwithstanding this act any mariner being at sea, or any soldier being in actual military service, may dispose of his moveable wages and personal estate, as he might have done before the making of this act.

Sect. 9. That all devises of real estate shall pass the whole estate of the testator in the premises devised, although there be no words of inheritance or of perpetuity, unless it appear by a devise over or by words of limitation or otherwise in the will that the testator intended to devise a less estate.

Sect. 10. That real estate acquired by a testator after making his will, shall pass by a general devise unless a contrary intention be manifest on the face of the will.

Sect. 11. That a devise or bequest by a husband to his wife of any portion of his estate or property, shall be deemed and taken to be in lieu and bar of her dower in the estate of such testator, in like manner as if it were so expressed in the will, unless such testator shall in his will declare otherwise: Provided, That nothing herein contained shall deprive the widow of her choice, either of dower or the estate or property so devised or bequeathed.

Sect. 12. That no devise or legacy in favor of a child or other lineal descendant, of any testator, shall be deemed or held to lapse, or become void by reason of the decease of such devisee or legatee in the life time of the testator, if such devisee or legatee shall leave issue surviving the testator, but such devise or legacy shall be good and available in favor of such surviving issue with like effect as if such devisee or legatee had survived the testator, saving always to every testator the right to direct otherwise.

Sect. 13. That no will in writing concerning any real

estate shall be repealed, nor shall any devise or direction therein be altered, otherwise than by some other will or codicil in writing, or other writing declaring the same executed and proved in the same manner as is herein before provided, or by burning, cancelling, or obliterating, or destroying the same, by the testator himself, or by some one in his presence and by his express direction.

Sect. 14. That no will, in writing, concerning any personal estate shall be repealed, nor shall any bequest or direction therein, be altered otherwise than as is herein before provided in the case of real estate, except by a nuncupative will, made under the circumstances aforesaid, and also committed to writing in the life time of the testator, and after the writing thereof, read to or by him, and allowed by him, and proved to be so done by two or more witnesses.

Sect. 15. That when any person shall make his last will and testament, and afterwards shall marry or have a child or children not provided for in such will, and die leaving a widow and child or either a widow or child or children, although such child or children be born after the death of their father, every such person, so far as shall regard the widow, or child or children after born, shall be deemed or construed to die intestate, and such widow, child or children, shall be entitled to such parts, shares, and dividends of the estate, real and personal, of the deceased, as if he had actually died without any will.

Sect. 16. That a will executed by a single woman shall be deemed revoked by her subsequent marriage, and shall not be revived by the death of her husband.

Sect. 17. Provided, That nothing in this act contained shall be construed to apply to the disposition of personal estate by a testator whose domicile is out of this commonwealth.

Sect. 18. That this act shall take effect from and after the first day of October next, and so much of any act or acts of Assembly as is hereby altered or supplied, is repealed from and after the said day, except so far as may be necessary to complete any proceeding commenced before that time.

Approved, April 8, 1833.

From the Village Record.

A TRIP TO VALLEY FORGE.

Messrs. Editors—Every American who is conversant with the history of our revolution, has read of the Valley Forge in Chester county. I had read of the sufferings of Washington and his Spartan army, when encamped on this ground in the severe winter 1777—8, and of the distresses and difficulties which that indefatigable chief had to contend with, in the shape of inclement skies, want of resources, and the vilest intrigues, to undermine his fame, and displace him from the command.

Having long felt a desire to visit the scene of so many interesting incidents, I, a short time since, taking advantage of a little unengaged time, and one of the most aethereal mornings which ever shone out to gladden the heart of the hypochondriac or light with smiles the features of the most inveterate dyspeptic, set off to view, (in company with a friend, who was to act as cicerone) the remains of this celebrated camp; the ride was delightful—pleasantly varied with rich fields of thriving grain, orchards of the apple, peach, and cherry trees, in full bloom, giving out a fragrant perfume, which even Shakspeare's dainty fop would not have scorned to have

"Betwixt the wind and his nobility—" and, "ever anon," a rail-road car was to be seen winding its swift though silent way to and from the metropolis.

After crossing the turnpike below the "Paoli," you descend the Valley Hill, from whence the prospect is splendid beyond conception, taking in a view of the richest valley in the state, for several miles; and includ-

ing many of those neat and highly cultivated farms for which this delightful region of country is so celebrated.

Here could be seen the busy husbandman, amidst a cloud of his own raising, scattering the fructifying lime or plaster over the grateful fields; and in the distance, his neighbour, mayhaps, preparing for the same process, with an extra pair of oxen to his plough, cleaving the earth toughened by the draught; then the manly tones of the light hearted yeoman, carolling, perhaps, some singing school melody or rustic glee, mixing with the sound of a mill-dam cascade, and the warbling of hundreds of garrulous birds, rendered the scenery captivating to both eye and ear.

After a few hours riding, through a district of country so beautifully diversified, we arrived in the vicinity of "Valley Forge." The forge which gave the place its name, has long since ceased to exist; near the site of the old works, however, a cotton and gun factory, and a grist mill are erected; these are driven by the Valley creek, which empties into the Schuylkill, a short distance below. The immense oven attached to the forge-house, built for the accommodation of the army, was shown; the spot (contiguous to the forge) upon which the coal-house stood, which contained 2000 barrels of flour intended for the use of Washington's army, was pointed out; this valuable stock of provision was burnt by a detachment of the British army, under Sir William Howe, before the main republican forces had arrived. Some generosity, however, was displayed by Sir William, who gave the surrounding inhabitants leave to take what flour they wanted before the torch was applied. Most interesting of all, however, was the house in which Washington resided during the perilous winter, and which constituted the head quarters of the army; it is a two storied house, built of squared stones—over the front door a portico projects, the whole is built in the best style of the olden time, and remains unaltered by the march of time, or the progress of improvement. Before me I beheld the same walls which once contained an individual whose fame has been the theme of every tongue and even pen, wherever genius was prized or liberty cherished! In the rear upon a commanding hill, rising abruptly from the Schuylkill, was to be seen the spot upon which an army of fifteen thousand brave men withstood for a season, the most severe privations, and the extremest cold, with but wretched clothing and indifferent shelter, to meet the rigors of the season. The sufferings of the army cannot be better described than by the reluctant, though strong remonstrance of the commander-in-chief to Congress. "We have," says he, "by a field return this day made, no less than two thousand eight hundred and ninety-eight men, now in camp, unfit for duty, because they are barefoot and otherwise naked;" and of those restless intriguers who were besieging Congress with complaints and remonstrances, he says, "I can assure those gentlemen, that it is a much easier and less distressing thing to draw remonstrances in a comfortable room, by a good fire-side, than to occupy a cold bleak hill, and sleep under frost and snow without clothes or blankets; however, although they seem to have little feeling for the naked and distressed soldiers, I feel superabundantly for them, and from my soul pity those miseries which it is not in my power to relieve or prevent." Thus wrote Washington—and this distress must have been pressing indeed, to have forced the noble-souled chief to complain—with but few comforts to cheer their present gloomy situation, and but dim prospects of future success, to infuse hope into their breasts and render their sufferings in some degree tolerable—and moreover, having before them an opposing force, not only exceeding them in numbers, but completely equipped and appointed in all respects, and enjoying all the comforts which money could procure, or the vicinity of a rich city could furnish; as the historian writes, "the wonder is not that many died and many deserted,

but that sufficient remained to keep up the show of opposition." The redoubts and entrenchments thrown up around the encampment hill, were shown; and, likewise the exact spot where each brigade lay, was pointed out with much seeming accuracy.

Independent of the interesting history of the Valley Forge, the unequalled beauty of the scenery surrounding it, and the kind and accommodating deportment of the neighboring inhabitants, fully compensated for the journey thereto. Upon the whole, the jaunt was highly satisfactory; and as the season is approaching, when the city people seek the sylvan shades of rural life, I do not know a more pleasant jaunt than the rail-road affords, taking in the Valley forge on one side, and the healthful village of West Chester on the other.

A.

From the Commercial Herald.

RAIL-ROADS IN PENNSYLVANIA.

In yesterday's paper we gave a list of Rail-road Companies chartered in the state of New York. The aggregate capital authorized by law is \$27,555,000. The actual rail-road constructed amounts to thirty-six miles; and the extent now under contract, or in progress, is thirty-six miles more.

The following account of Rail-roads actually finished, or in rapid progress, in Pennsylvania, will show how far our state has the lead of New York, in this respect.

1. Pennsylvania Rail-road, constructed at the expense of the state, from Broad street, Philadelphia, to the Susquehanna, at Columbia, and there joining the southeast termination of the State Canal—a distance 81½ miles—30 miles being in actual use; and the whole in a fair way to be finished this year.

2. Portage Rail-road—constructed by the state—across the main Allegheny mountain by a series of inclined planes, connecting the Juniata at Hollidaysburg with the Conemaugh at Johnstown—distance of 36 69-100 miles, including a tunnel of 900 feet long, four large viaducts, and other works of great magnitude. This unites the Eastern canal with the Western, and will complete the line of communication between Philadelphia and Pittsburg. A great part of this work is now completed, and will be in use next year.

3. The West Chester Rail-road, is a branch from the Pennsylvania Rail-road to the flourishing village of West Chester. It unites with the Pennsylvania Rail-road on the South Valley Hill, two miles west of Paoli. It is the property of a company composed of enterprising citizens of Philadelphia, and West Chester. Length nine miles—cost about \$100,000.—Completed and now in use.

4. The Philadelphia, Germantown, and Norristown Rail-road. The line begins at the intersection of Spring Garden and Ninth streets, and terminates at Norristown. Six miles of this distance are completed, and now in use. Preparations are making to finish the remainder. Made at the expense of a company.

5. Little Schuylkill Rail-road. From Port Clinton at the mouth of Little Schuylkill to the village at Tamaqua, on that stream—distance 21½ miles, with several branches to coal mines. This is the work of a company, and is designed, principally, to transport coal to the Schuylkill navigation. Finished and in use.

6. Mine Hill and Schuylkill Haven, at the mouth of the West Branch of Schuylkill, up that stream 10½ miles to the Mine Hill Gap. Finished and in use. Trade, coal. Belongs to a company.

7. Mount Carbon Rail-road. From Mount Carbon, one mile below Pottsville, up the valley of the Norwegian creek—main line and branches, about seven miles. Finished and in use. Trade, coal. Belongs to a company.

8. Danville and Pottsville Rail-road. From Pottsville to Sunbury, opposite the forks of the Susquehanna. Length 45 miles—8 miles nearly completed. It

is designed to accommodate the great coal region on the Shamokin, Mahoney, &c. and to connect the Susquehanna with the Schuylkill canal. Belongs to a company.

9. Schuylkill Valley Rail-road. From Port Carbon at the head of the Schuylkill navigation, up that river to the town of Tuscarora—distance ten miles. Trade, coal. Belongs to a company. Finished and in use.

10. The Mauch Chunk Rail-road. The first of any magnitude completed in the United States. From the head of the Lehigh canal at Mauch Chunk, to the coal mine on the summit of Mauch Chunk Mountain. Aggregate of main line and branches, 12½ miles. Belongs to the Lehigh Coal and Navigation company.

11. The Roan Run Rail-road. From Mauch Chunk, up the Lehigh to a coal mine—length 5½ miles. Finished and in use. Belongs to the above company.

12. Lyken's Valley Rail-road. From Millersburg to the Susquehanna, up Lyken's Valley, to a coal basin in the Broad Mountain. Distance sixteen and a half miles. Begun, and will be completed this year.

13. Carbondale Rail-road. Belongs to the Hudson and Delaware Canal Company, and connects that work with the coal mines in the valley of the Lackawanna. Length of road 16½ miles. Finished, and in use.

14. The Philadelphia and Trenton Rail-road. From Philadelphia to the Delaware bridge near Trenton. Distance 27½ miles. The line is located, and contracts made for grading and bridges. To be finished this year. The rails will be laid next year. Belongs to a company, and is designed to accommodate transportation and travel, between Philadelphia and New York.

The above list is believed to comprise all the important rail-roads in Pennsylvania, actually finished, or upon which arrangements have been made for their early completion. Some smaller, or branch lines, have been probably overlooked. There are also several very important works which have been authorized by law, and which there is reason to hope will soon be commenced. Of this class are the Williamsport, and Elmira, and Phillipsburg, and Juniata Rail-roads. We have not named the York and Baltimore Rail-road, as we believe that portion of it which lies in our own state has not been commenced.

The total of Rail-roads completed in Pennsylvania, and now actually making, is 415½ miles.

We shall endeavour in our next to furnish an accurate list of the finished canals in this state.

PHILADELPHIA AND TRENTON RAIL-ROAD.

In our paper of Friday we furnished a list of Rail-Roads in Pennsylvania actually finished, or in a train for early completion. Among others we mentioned the *Philadelphia and Trenton Rail-Road*, as one upon which operations were about to commence.

Frequent inquiries having since been made, in reference to that work, we have taken pains to ascertain the particulars as to its present situation, its prospects, and its probable advantages to the public and the stockholders. We have ascertained to our satisfaction that the work is certainly going on. That the grading of the Road for a double track the whole distance, and the construction of all the Bridges on the line is actually under contract, and to be completed ready for the laying of Rails by the first day of January next. The Engineers are now busily employed in staking out the work, which will be commenced as soon as the weather will admit. That the timber and stone are actually being procured for the Bridges, and that satisfactory arrangements have been made for damages, with a number of individuals owning property along the Line, and their several claims promptly paid by the Company; and that further agreements for damages are daily entered into, entirely to the satisfaction of all the parties concerned. That it is the intention of the Company to

economize as far as consistent with utility, in the construction of the work, and in accordance with these views, they will lay a single track of wooden superstructure on the most approved plan and of the best materials, using the flat or plate iron Rail. That they have received several very advantageous offers to furnish Timber and Iron, and are hence enabled to ascertain, without the fear of being deceived in their estimate that the whole cost of Road formation, and laying a single track, with a sufficient number of sideings or turn outs, including damages and all other incidental expenses, cannot exceed three hundred and fifty thousand dollars, or at the utmost four hundred thousand.

They hope also to have a portion of the Rails laid during the present season, and found their immediate expectations of realizing a reasonable income for the capital invested in the construction of the Road from calculations of this kind:—

The amount received by the Union and Citizen's Lines, jointly, during the year 1831, for way passengers alone, exclusive of through passengers and transportation of goods between Philadelphia and New York was about

Suppose of that sum \$40,000 was received for way passengers going eastward from New Brunswick, and that the Union Line will take one half of the remainder is	\$106,000
Leaves the balance for the Philadelphia and Trenton Rail-Road	73,000
Add for carrying the mail and mail passengers for stage passengers in the Easton and New Hope River Line	33,000
for stage passengers in the Newton and Attleborough Line	7,000
for carrying all the passengers between N. York and Philadelphia in winter, say 50 each way or 100 per day for 63 days, allowing the steam boat to run 250 days (Sundays not included) at \$1 each	1,000
Transportation during the same time	6,300
Pleasure excursions to Frankford, Holmesburg, Cornwell's Bristol, Morrisville and Trenton	5,000
Business Travel and Transportation of Goods between Philadelphia and Frankford, Holmesburg and other places on the Line, heretofore done by stages and wagons	12,000
	8,000

Probable aggregate Receipts	\$75,300
From which deduct Expenses:	
Cost of Locomotives and Cars	\$15,000
20 per cent. interest on this sum is	3,000
Expenses of running Locomotives at \$20 per day	7,300
Repairs and superintendence of Roads	5,000
	15,300
	60,000
Deduct Interest on Capital of \$400,000 at 6 per cent.	24,000
Surplus,	\$36,000

Allowing a dividend of 15 per cent. on \$400,000 of Capital.

The inducements for the Company to go on with the work, held out by this statement, so far exceeded our expectations, that our first impression was to doubt the whole of it, and set it down like some other calculations of the present day, as looking very well on paper, but having no practical reality. But after a careful examination of the several items of which it is composed, and from subsequent inquiries, diligently made of persons who have the best opportunity of knowing their correctness, we could not resist the conviction that if it

contained no errors they were on the safe side. In addition to this, it may not be improper to observe, that with the exception of 63 days in winter, the whole calculations are based upon the supposition of carrying way passengers alone, not one through passenger between New York and Philadelphia being taken into the account. Now as there will certainly be two routes between those two cities, and as it is as certain that the public will exercise their undoubted right of choice between them, it follows that a portion of the *through* travellers will take this route. If that portion be but one third of the whole, (judging from the amount heretofore received for through passengers,) this portion of the Line would receive \$21,000 in addition to the above income, making an aggregate clear income of \$81,000 a year, or over 20 per cent. on the capital invested.

Commercial Herald.

AUDITOR GENERAL'S REPORT ON THE REVENUE OF THE COMMONWEALTH FOR 1832.

No. I.

Lands, Fees on Lands, &c.

Amount of purchase money with interest thereon	\$53,736 84
Fees on warrants and patents	8,511 67
<i>Office Fees.</i>	
Surveyor General's Office	1,004 17
Secretary of the Land Office	369 48
	<u>\$63,622 16</u>

No. II.

Auction Commissions.

Henry D. Mandeville	\$4,000 00
Samuel W. Lippincott	2,000 00
R. F. Allen	2,000 00
John Jennings	2,000 00
Moses Thomas	1,000 00
Henry Erwin	1,000 00
William Baker	1,000 00
Robert Moderwell	500 00
George P. Bonnin	400 00
T. W. L. Freeman	300 00
Charles J. Wolbert	300 00
James Clark	200 00
John D. Goodwin	200 00
Archibald Murphy	200 00
Stephen Poulterer	200 00
Joseph Aithen	200 00
J. Thomas	200 00
H. Johnson	200 00
George Riter	100 00
	<u>\$16,000 00</u>

No. III.

Auction Duties.

Richard F. Allen	\$34,917 95
John Jennings	24,853 69
Samuel W. Lippincott	15,492 19
Henry D. Mandeville	14,805 55
Mahlon Gillingham	9,213 48
Samuel C. Ford	7,630 54
Moses Thomas	3,853 69
Charles J. Wolbert	638 20
Henry Erwin	562 05
T. W. L. Freeman	370 61
George Riter	329 27
David Lynch	304 88
Patrick M'Kenna	236 52
T. B. Freeman	137 34
John D. Goodwin	128 79
Robert Moderwell	27 43
James Clark	23 98

Archibald Murphy	6 42
George P. Bonnin	4 51
	<u>\$113,537 09</u>

No. IV.

Dividends on Bank Stock.

Bank of Pennsylvania	\$135,000 00
Philadelphia Bank	31,398 00
Farmers' and Mechanics' Bank	6,832 00
	<u>\$173,230 00</u>

No. V.

Dividends on Bridge, Navigation and Turnpike Stock.

Harrisburg bridge	\$7,200 00
Columbia	2,250 00
Allegheny	1,600 00
Northumberland	1,000 00
Big Beaver	900 00
Lewisburg	800 00
Conemaugh	700 00
Schuylkill bridge at Norristown	450 00
Nescopeck	320 00
Danville	300 00
Franklin	250 00
Schuylkill bridge at Pottstown	240 00
Schuylkill Navigation Company	2,500 00
Harrisburg and Middletown turnpike road company	1,260 00
Lancaster, Elizabethtown and Middletown	500 00
York and Gettysburg	400 00
Susquehanna and York borough	250 00
Easton and Wilkesbarre	250 00
	<u>\$21,170 00</u>

No. VI.

Tax on Bank Dividends.

Easton Bank	\$4,540 92
Commercial bank of Pennsylvania	4,480 00
Bank of North America	4,000 00
Schuylkill bank	3,000 00
Mechanics' bank of Philadelphia	2,994 75
Harrisburg bank	2,536 40
Bank of the Northern Liberties	2,400 00
Pittsburg bank	2,214 84
Southwark bank	2,000 00
Farmers' bank of Lancaster	1,764 12
York bank	1,484 73
Chambersburg bank	1,195 80
Farmers' bank of Reading	1,166 61
Carlisle bank	1,005 26
Kensington bank	999 92
Bank of Penn Township	960 00
Columbia Bridge Company	956 17
Bank of Chester county	898 60
Bank of Germantown	828 80
Bank of Montgomery county	746 70
Gettysburg Bank	602 24
Northampton bank	583 52
Monongahela bank of Brownsville	571 88
Bank of Delaware county	558 07
Lancaster bank	431 24
Wyoming bank	315 00
Farmers' bank of Bucks county	257 67
Miners' bank of Pottsville	144 63
Erie bank	123 54
	<u>\$43,761 41</u>

No. VII.

Tax on Offices.

William M'Candless, prothonotary of Allegheny county	\$764 08
Samuel A. Smith, late register and recorder of Bucks county	2 77

John Roberts, prothonotary of Dauphin county	134 95
David R. Porter, prothonotary, register and recorder of Huntingdon county	188 85
Christian Bachman, prothonotary of Lancaster county	316 91
William Whiteside, register and recorder of Lancaster co.	530 13
Alexander M'Caraher, recorder of Philadelphia county	3,328 60
John Humes, register of Philadelphia county	3,469 79
John Lisle, prothonotary of the District court of Philadelphia	2,227 27
Richard Palmer, prothonotary of the Common Pleas of Philadelphia county	992 35
Joel B. Sutherland, deputy attorney general of Philadelphia county	218 50
	<u>\$12,174 20</u>

No. VIII.

Tax on Writs, &c. per act of 6th April, 1830.

Wm. M'Candless, proth'y of Allegheny co.	\$532 53
John M. Snowden, register and recorder of Allegheny co.	518 50
Frederick Rohrer, prothonotary of Armstrong	32 34
Frederick Rohrer, late register and recorder of Armstrong	83 37
John Croll, late register and recorder of Armstrong	39 29
James Logan, prothonotary of Beaver	105 33
David Johnson, register and recorder of Beaver	124 16
Job Mann, prothony, register and recorder of Bedford	259 00
John Addams, prothonotary of Berks	345 81
George Smith, register of Berks	67 93
John Miller, recorder of do	200 79
James P. Bull, prothonotary of Bradford	224 57
Darius Bullock, late prothonotary of Bradford	34
E. S. Goodrich, register and recorder of Bradford	142 00
William Purdy, prothonotary of Bucks	240 32
Andrew Heller, register of Bucks	87 30
Michael Dech, recorder of Bucks	378 50
William Stewart, prothonotary of Butler	245 68
Maurice Bredin, register and recorder of Butler	30 00
James Gilleland, prothonotary of Centre	103 31
William Pettit, register and recorder of Centre	107 18
John W. Cunningham, prothonotary of Chester	362 30
Robert Ralston, register of Chester	84 87
Nimrod Strickland, recorder of Chester	469 48
Joseph Boone, prothonotary, register and recorder of Clearfield	77 00
John Cooper, register and recorder of Columbia	111 07

Edward A. Reynolds, prothonotary of Crawford	103 91
John Harper, prothonotary of Cumberland	290 27
John Irwin, register and recorder of Cumberland	197 40
John Roberts, prothonotary of Dauphin	355 02
Samuel Pool, register and recorder of Dauphin	203 22
Henry Myers, prothonotary, register and rec. of Delaware	138 96
Edwin J. Kelso, prothonotary, register and recorder of Erie	305 55
Henry W. Beeson, prothonotary of Fayette	138 76
Paul I. Hetich, register and recorder of Franklin	167 32
William Hays, prothonotary of Greene	95 00
Jesse Lazear, register and recorder of Greene	51 00
David R. Porter, prothonotary, register and recorder of Huntingdon	351 62
William Banks, prothonotary, register and recorder, Indiana	206 69
James Corbert, prothonotary, register and recorder of Jefferson	70 00
William W. Kirk, prothonotary of Juniata	60 62
James S. Iaw, register and recorder of Juniata	90 29
Christian Bachman, prothonotary of Lancaster	434 56
William Whiteside, register of Lancaster	124 16
Jacob Peelor, recorder of Lancaster	333 68
Adam Ritscher, prothonotary of Lebanon	130 00
John Uhler, register of Lebanon	27 16
John Shindle, recorder do	85 00
Daniel Kremer, prothonotary of Lehigh	145 02
Henry Pettebone, prothonotary of Luzerne	237 41
Joseph Work, prothonotary of Lycoming	171 45
John Vanderbelt, register and recorder of Lycoming	156 17
William S. Rankin, prothonotary of Mercer	99 19
Samuel Holstein, register and recorder of Mercer	140 00
Richard Chadwick, prothonotary, register and recorder of M'Kean	98 94
David R. Reynolds, prothonotary of Mifflin	55 00
Abraham S. Wilson, late prothonotary of Mifflin	68 38
William Powell, register and recorder of Montgomery	308 46
William L. Sebring, prothonotary of Northampton	209 77
George Hess, register of Northampton	48 99
Christian J. Hutter, recorder of Northampton	319 61
Edward Y. Bright, prothonotary of Northumberland	160 00
Solomon Shaffer, register and recorder of Northumberland	126 30
John M'Keehan, register and recorder of Perry	156 66

John Lisle, prothonotary District Court, Philadelphia,	1,433 18
Richard Palmer, prothonotary Common Pleas, Philadelphia	319 13
John Humes, register, Philad'a	284 21
Alexander M'Caraher, recorder, Philadelphia	2,409 50
Samuel De Puy, recorder of Pike	40 00
Jacob Hammer, prothonotary of Schuylkill	230 86
Charles Frailey, register and recorder of Schuylkill	202 17
Chauncey Forward, prothonotary, register and recorder of Somerset	264 80
George Floy, late prothonotary of Somerset	106 83
Joseph Williams, late register Somerset	47 00
Asa Dimock, jr. prothonotary and register of Susquehanna	115 00
William Jessup, recorder of Susquehanna	130 00
Jonah Brewster, prothonotary, register and recorder of Tioga	250 00
Joseph Stilwell, prothonotary of Union	137 02
Arnold Plumer, prothonotary, register and recorder of Venango,	26 25
Robert Miles, prothonotary, register and recorder of Warren	185 75
Thomas Officer, prothonotary of Washington	178 47
John Grayson, register of Washington	35 89
William Hodge, recorder of Washington	205 64
George B. Wescott, prothonotary of Wayne	51 17
James Manning, register and recorder of Wayne	137 26
Randall M'Laughlin, prothonotary of Westmoreland	179 94
Alexander Johnston, register and recorder of Westmoreland	233 77
Richard Porter, prothonotary of York	169 27
Charles Nes, register and recorder of York,	161 28
William Duane, prothonotary Supreme Court, Eastern District	222 34
Samuel A. Houston, prothonotary Supreme Court, Lancaster District	152 77
Alexander Jourdan, prothonotary Supreme Court, Middle District	139 20
Leonard S. Johns, prothonotary Supreme Court, Western District	295 36
	<u>\$19,778 37</u>

No. IX.

Fees of the Secretary of State's Office.

Amount of fees received and accounted for by Samuel M'Kean, Secretary of the Commonwealth

537 53

No. X.

Tavern Licenses.

Robert Smith, treasu'r Adams co. \$731 04
William Woods Allegheny 4,099 89

David Johnston, tresu. Armstrong	310 84
Benjamin Adams Beaver	402 04
Solomon Filler Bedford	824 08
Thomas R. Gettys, late do	857 40
David Bright Berks	2,624 47
William Russell Bradford	238 40
William L. Strawn Bucks	1,000 00
Alexander Vanhorn, late do	1,425 02
Francis M'Bride Butler	280 82
James Murray Cambria	289 95
William A. Thomas Centre	1,068 69
Isaac Thomas Chester	1,718 34
G. Phillipp Gulich Clearfield	309 19
Hugh M'Williams Columbia	533 96
Joseph Morrison Crawford	213 80
John Phillips Cumberland	200 00
Hendricks Weise, late do	1,025 96
Richard T. Leech Dauphin	1,350 00
John Kelker, late do	1,135 85
William Eyre Delaware	547 39
George Moore Erie	9 13
Thomas Morehead, late do	417 05
Alfred Meason Fayette	233 84
Hugh Greenfield, former Franklin	1,062 28
William M'Clelland Greene	171 95
Jacob Miller Huntingdon	1,000 00
Isaac Dorland, late do	159 43
Bleaney Adair Indiana	349 98
Jared B. Evans Jefferson	76 00
John H. Duchman Lancaster	4,814 39
Thomas Harper Lebanon	679 63
Solomon Gangewere Lehigh	952 66
Bateman Downing Luzerne	704 32
Henry D. Ellis Lycoming	605 93
David T. Porter Mercer	279 90
Paul E. Scull, late M'Kean	10 00
James Dickson Mifflin	671 00
John Todd Montg'ry	1,400 00
Henry Schneider, late do	134 28
Peter Pomp North'on	1,480 55
George Weiser North'd	757 48
Robert Kelley Perry	500 68
John Wilson, late do	557 03
Philip Peltz Philad'a	12,155 96
Henry Decker Pike	287 28
Burrell Lyman Potter	10 00
John Schall Schuylkill	2,374 71
Isaac Ankeny Somerset	632 78
Davis Dimock, jr. Susqueh'a	300 73
Thomas Dyer Tioga	98 80
Samuel Aurand Union	735 77
Samuel Houston Venango	116 28
Samuel Marshall Washing'n	668 26
Samuel M'Farland, late do	306 20
Richard Lancaster Wayne	368 92
William M'Kinney Westmo'd	965 00
Jacob Bayler York	1,540 34
	<u>\$58,795 67</u>

No. XI.

Duties on Dealers in Foreign Merchandize.

Robert Smith, treas'r of Adams co.	\$610 74
William Woods Allegheny	1,060 01
David Johnston Armstrong	488 27
James Pinks, former do	507 03
Benjamin Adams Beaver	667 90
Solomon Filler Bedford	517 99
Thomas R. Gettys, late do	487 99
David Bright Berks	1,683 61
William Russel Bradford	315 53
Alpheus Ingham, adm'tr. do	130 00
William L. Strawn Bucks	1,000 00
Alexander Vanhorn, late do	1,154 28
Francis M'Bride Butler	307 37
James Murray Cambria	231 96
William A. Thomas Centre	1,082 89

Isaac Thomas	Chester	1,899	20
G. Philipp Gulich	Clearfield	167	21
Hugh M ^o Williams	Columbia	584	50
Joseph Morrison	Crawford	320	92
John Phillips	Cumberland	800	00
Hendricks Weise, late	do	1,038	64
Richard T. Leech	Dauphin	960	00
John Kelker, late	do	1,049	75
William Eyre	Delaware	582	06
Thomas Moorhead	Erie	303	49
George Meason	Fayette	20	16
Alfred Meason, late	do	800	00
Hugh Greenfield, former Franklin		164	72
William M ^o Clelland,	Greene	317	48
Jacob Miller	Huntingdon	1,250	00
Bleaney Adair	Indiana	519	28
Jared B. Evans	Jefferson	82	73
John H. Duchman	Lancaster	1,968	69
John Reynolds, late	do	24	75
Thomas Harper	Lebanon	496	16
Solomon Gangewere	Lehigh	686	95
Bateman Downing	Luzerne	852	29
Henry D. Ellis	Lycoming	485	73
David T. Porter	Mercer	624	03
Paul E. Scull, late	M ^o Kean	48	33
James Dickson	Mifflin	559	32
Joseph B. Ard, late	do	220	70
John Todd	Montgom ^o ry	1,182	50
Henry Schneider, late	Montgomery	198	95
Peter Pomp	Northampton	1,753	99
George Weiser	Northumb ^o nd	574	88
Robert Kelly	Perry	531	91
John Wilson, late	do	506	90
Philip Peltz	Philadelphia	6,523	00
Henry Decker	Pike	186	59
John Schall	Schuylkill	1,036	46
Joseph Hammer, late	do	31	66
Isaac Ankeny	Somerset	266	00
Davis Dimock, jr.	Susquehanna	362	43
Thomas Dyer	Tioga	199	50
Elihu Hill, late	do	70	00
Samuel Aurand	Union	612	57
Samuel Houston	Venango	249	85
Walter W. Hodges	Warren	7	50
Samuel Marshall	Washington	1,168	74
Samuel M ^o Farland, late	do	800	00
Richard Lancaster	Wayne	471	81
Jacob S. Davis, late	do	57	47
William M ^o Kinney	Westmoreland	918	04
Jacob Bayler	York	1,205	98
Peter Ahl, late	do	377	16
C. Stevenson	City of Phil ^o a	19,969	80
George Weitzel	City of Lancaster	579	94
William Graham, jr.	City of Pittsburg	2,864	19
<hr/>			
			69,783 48

No. XII.
State Maps.

Alexander Vanhorn, treasurer of	Bucks county	\$95	00
Hugh M ^o Williams	Columbia	23	75
John Kelker	Dauphin	14	25
Philip Peltz	Philadelphia	80	75
Samuel Aurand	Union	9	50
Alexander Mahon, state treasurer,		5	00

228 25

No. XIII.
Collateral Inheritances.

Robert Smith, treasurer of	Adams co.	\$	338	92
William Woods	Allegheny		8	79
Thomas R. Gettys	Bedford		95	82
David Bright	Berks		1,162	32

William Russell	Bradford	3	40
Alexander Vanhorn	Bucks	365	54
William A. Thomas	Centre	12	07
Melchi Happersett	Chester	15	86
Isaac Thomas, late	do	136	64
G. Philipp Gudich	Clearfield	11	00
Hugh M ^o Williams	Columbia	1	49
John Phillips	Cumberland	407	26
Hendricks Weise, late	do	115	99
William Eyre	Delaware	179	07
George Moore	Erie	40	87
Henry Smith	Franklin	97	39
Bleaney Adair,	Indiana	39	19
John F. Heinitsch	Lancaster	74	93
John H. Duchman, late	do	1,553	38
Emanuel Miley	Lebanon	178	50
Thomas Harper, late	do	115	15
Michael D. Eberhart	Lehigh	36	02
Solomon Gangewere, late	do	20	16
David T. Porter	Mercer	41	25
John Todd	Montgomery	327	76
Henry Schneider, late	do	141	54
Samuel Kinsey	Northampton	452	87
Peter Pomp, late	do	2,016	76
George Weiser,	Northumb ^o nd	16	46
Philip Peltz	Philadelphia	4,070	82
Samuel Aurand,	Union	167	49
William M ^o Kinney	Westmoreland	8	28
Jacob Bayler	York	241	10
<hr/>			12,494 29

Pamphlet Laws.

David Bright, treasurer of	Berks county	\$	9	50
Melchi Happersett,	Chester		8	00
Hendricks Weise	Cumberland		4	75
John Kelker	Dauphin		6	65
John H. Duchman	Lancaster		7	60
Henry Schneider	Montgomery		6	18
Peter Pomp	Northampton		1	95
Philip Peltz	Philadelphia		41	80
John Schall	Schuylkill		2	85
<hr/>			88	28

No. XV.

Militia and Exempt Fines.

Daniel Sharp, inspector and first brigade, first division, under act of 1822,		\$500	00
John Davis, inspector first brigade, second division, under act of 1828,		500	00
Henry Daub, inspector second brigade, second division, under do.		351	28

David Bright, treasurer of	Berks county	1	90
Alexander Vanhorn	Bucks	3	80
Richard T. Leech,	Dauphin	5	70
John Kelker, late	do	3	80
William Eyre,	Delaware	11	40
Philip Peltz	Philadelphia	76	00
A. Morrison, former	Somerset	7	49
Davis Dimock, jr.	Susquehanna,	1	90
<hr/>			1,463 27

No. XVI.

Tin and Clock Pedlers' Licenses.

William Woods, treasurer of	Allegheny co.	\$124	30
David Bright,	Berks	57	00
William Russell,	Bradford	28	50
William A. Thomas	Centre	27	50
Hugh M ^o Williams	Columbia	85	50
Hendricks Weise	Cumberland	28	50
Richard T. Leech	Dauphin	120	00

John Kelker, late	do	28 50
Thomas Moorhead	Erie	29 46
George Meason	Fayette	30 00
Jacob Miller	Huntingdon	60 00
Bleany Adair	Indiana	28 50
John H. Duchman	Lancaster	114 00
Solomon Gangewere	Lehigh	28 50
John Todd	Montgomery	28 50
Henry Schneider, late	do	57 00
Peter Pomp	Northampton	256 50
Philip Peltz	Philadelphia	228 00
John Schall	Schuylkill	28 50
Isaac Ankeny	Somerset	57 00
Davis Dimock, jr.	Susquehanna	142 50
Asa Dimock, jr. prot'y	do	90 00
Richard Lancaster, tres'r	Wayne	28 50
Jacob Bayler	York	171 00
		<hr/> 1,878 76

No. XVII.

Hawkers and Pedler's Licenses.

William Woods, trea- surer of	Allegheny co.	\$ 120 90
David Johnston	Armstrong	38 95
Solomon Filler	Bedford	15 20
Thos. G. Gettys, late	do	23 75
David Bright	Berks	168 15
Francis M'Bride	Butler	7 60
Wm. A. Thomas	Centre	15 20
Isaac Thomas	Chester	7 60
Hugh M'Williams	Columbia	38 00
Hendricks Weise	Cumberland	22 80
John Kelker	Dauphin	76 95
George Meason	Fayette	16 00
William M'Clelland	Greene	15 20
Isaac Dorland	Huntingdon	38 39
Bleany Adair	Indiana	7 60
John H. Duchman	Lancaster	329 65
Thomas Harper	Lebanon	45 60
Solomon Gangewere	Lehigh	15 20
Bateman Downing	Luzerne	30 40
James Dickson	Mifflin	38 00
Henry Schneider	Montgomery	38 00
Peter Pomp	Northampton	235 60
George Weiser	Northumberland	38 95
Robert Kelly	Perry	47 50
John Wilson, late	do	23 75
Philip Peltz	Philadelphia	1,386 20
Henry Decker	Pike	83 60
John Schall	Schuylkill	45 60
Isaac Ankeny	Somerset	58 95
Thomas Dyer	Tioga	45 60
Samuel Aurand	Union	68 40
Richard Lancaster	Wayne	22 80
William M'Kinney	Westmoreland	30 40
Jacob Bayler	York	15 20
		<hr/> 3,191 69

No. XVIII.

Increase of County Rates and Levies.

Per act of 25th March, 1831.

Wm. Woods, treasur- er of	Allegheny co.	\$9,405 93
Benjamin Adams	Beaver	1,147 65
Solomon Filler	Bedford	591 07
David Bright	Berks	8,834 80
William L. Strawn	Bucks	1,000 00
William A. Thomas	Centre	1,489 26
G. Phillip Gulich,	Clearfield	52 02
Joseph Morrison	Crawford	264 51
John Phillips	Cumberland	3,000 00
Richard T. Leech	Dauphin	1,600 00
William Eyre	Delaware	3290 00
George Meason	Fayette	2,000 00
Henry Smith	Franklin	692 39
Wm. M'Clelland	Greene	1,100 00

Jacob Miller	Huntingdon	900 00
Bleany Adair	Indiana	400 00
Jared B. Evans	Jefferson	130 00
Joseph Cummins	Juniata	1,439 69
John F. Heinitch	Lancaster	9,266 82
Emanuel Miley	Lebanon	1,800 00
Michael D. Eberhart	Lehigh	4,720 50
Henry D. Ellis	Lycoming	423 66
David T. Porter	Mercer	1,000 00
John Todd	Montgomery	1,069 80
George Weiser	Northumberland	1,250 00
Robert Kelly	Perry	1,102 86
Philip Peltz	Philadelphia	2,505 00
Burrell Lyman	Potter	40 00
John Schall	Schuylkill	326 44
Isaac Ankeny	Somerset	1,125 76
Jacob Mauch	Union	700 00
Samuel Houston	Venango	212 09
Samuel Marshall	Washington	3,663 00
Richard Lancaster	Wayne	194 20
William M'Kinney	Westmoreland	3,303 48
Jacob Bayler	York	3,946 00
		<hr/> 73,986 93

No. XIX.

Tax on Personal Property.

Per act of the 25th March, 1831.

William Woods, trea- surer of	Allegheny co.	\$ 300 00
Benjamin Adams	Beaver	125 45
Solomon Filler	Bedford	167 80
David Bright	Berks	1,913 27
William A. Thomas	Centre	104 93
Melchi Happersett	Chester	2,500 00
Joseph Morrison	Crawford	0 49
John Phillips	Cumberland	210 00
George Meason	Fayette	800 00
Jacob Miller	Huntingdon	200 00
Jacob H. Evans	Jefferson	20 00
Joseph Cummins	Juniata	58 87
J. F. Heinitch	Lancaster	1,876 62
Emanuel Miley	Lebanon	46 67
Michael D. Eberhard	Lehigh	408 12
John Todd	Montgomery	619 34
George Weiser	Northumberland	129 00
Robert Kelley	Perry	29 61
Philip Peltz	Philadelphia	1,680 00
Isaac Ankeny	Somerset	103 28
Samuel Houston	Venango	27 82
		<hr/> 11,326 27

No. XX.

Militia Fines,

Per act of 1823.

Peter Aurand, late deputy marshal of	Berks county.	\$850 00
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No. XXI.

Escheats.

Estate of Jane Rankin, Montgome- ry county,	\$ 71 00
John Galbrath, Philad.,	231 00
Claudius Sylvan, alias Dr. Humbert, do	233 43
Jacob Nearpass, York,	1,597 00
	<hr/> 2,132 43

No. XXII.

Canal Tolls.

John Nevin, collector at Middle- town, E. Div.	\$ 364 66
Thomas C. Reed, Harris- burg, do	16,864 64

Robert Scott, jr. Duncan's Island, Susquehanna Divion,	3,370 62
Jacob Fritz, Juniata Aqueduct, Juniata Division,	50 28
Levi Reynolds, Lewistown, do.	5,654 77
Wm. Williams, Huntingdon, do.	1,500 00
Elijah N. Doan, Northumberland, Susq. Division,	5,747 95
David Brinneman, Leechburg, Western Division,	1,793 26
Thomas Johnston, Blairsville, do	4,720 00
William B. Foster, Allegheny- town, do	884 32
John Fowler, Pittsburg Aque- duct, do	1,710 66
Samuel Foreman, Kiskimin- itas do	205 22
William F. Swift, Bristol, Dela- ware Divisions	2,718 19
Caleb Dusenbery, Easton, do	5,325 00
	<hr/> 50,909 57

No. XXIII.

Loans.

Bank of Pennsylvania, bal- ance of loan per act of 21st March, 1831.	\$1,038,213 34
Do. balance of loan per act of 30th March, 1831,	25,000 00
Office of Discount and De- posit at Harrisburg, a- mount of temporary loan per act of 9th March, 1832,	75,000 00
Bank of Pennsylvania, part loan per act of 30th March, 1832,	1,750,000 00
Bank of Pennsylvania, a- mount of loan per act of 5th April, 1832,	300,000 00
	<hr/> \$3,188,213 34

No. XXIV.

Premiums on Loans.

Bank of Pennsylvania, six per cent. on the balance of the loan per act of 21st March, 1831,	\$ 62,292 80
Ditto, six per cent. on the balance of the loan per act of 30th March, 1831,	1,500 00
Ditto, fourteen and eight hundredths per cent. on the amount received of the loan per act of 30th March, 1832,	246,400 00
Ditto, fifteen and nine hundredths per cent. on amount of the loan per act of 5th April, 1832,	45,270 00
	<hr/> 355,462 80

No. XXV.

Stephen Girard's Legacy.

Amount received from the executors of the last will and testament of the late Stephen Girard, deceased, agreeable to the direc- tions contained in said will,	300,000 00
	<hr/>

No. XXVI.

Old debts and Miscellaneous.

John Davis, inspector 1st brigade, 4th di- vision, amount refunded of the mo- ney drawn to defray election expen- ses in his brigade, in 1828,	\$ 5 50
Samuel Ringwalt, inspector 1st brigade, 4th division, ditto	6 00
Amount of the appropriation per resolution of the 4th April, 1831, refunded by the commissioners for painting and repairing the State Capital,	123 43
Daniel Sturgeon, Auditor General, fees of the office per resolution of 5th De- cember, 1827,	3 50
John Patton, agent for the Susquehanna Lottery, per Robert Allison, attor- ney for the Commonwealth,	30 00
Joseph Hackney, commissioner for the sale of reserved tracts in the town of Warren,	100 00
John List, a fine recovered from Joseph Daily, for trespass on the canal,	5 00
	<hr/> 273 43

REMINISCENCES.—Below we publish two extracts from the early numbers of the Pittsburgh Gazette which may not be uninteresting *news* to most of our readers. We remember to have heard it stated that the *unseasonable* fresh of January, 1787, was higher than that of November, 1810, commonly called the "Pumpkin Flood." But few of our citizens recollect that Chartier's creek was once navigated from above Canonsburgh to the Ohio river. Perhaps when steam mills, which are so rapidly increasing through the country, shall have done away with the absolute necessity of mill dams, navigation, through the fertile and beautiful valley of Chartiers, may be resumed.—*Pittsburg Gaz.*

From the Pittsburgh Gazette, May 1, 1790.

PUBLIC SPIRIT.—About five or six days since, a number of men, to the amount of 13, left Canonsburgh, on Chartier's creek, and, with the advantage of a rising flood, conducted two boats from thence, in about 12 hours, into the Ohio river. One was large and heavy, built for the purpose of carry flour to New Orleans, 47 feet in length, and 12 in breadth; a small part of the cargo, to the amount of 40 barrels, on board. The other, a barge — feet in length, built for the reception of passengers. The amazing facility with which these boats passed down the creek to the mouth, their safe crossing of two mill dams, one of which was at least 10 or 12 feet high, with the rudeness of the creek in its natural state, especially at the falls, sufficiently show what immense advantages might arise to thousands of people in the county of Washington, were the legislature to attend to the improvement of its navigation.

From the Pittsburgh Gazette, Jan. 13, 1787. 1

The heavy rains and constant thaw for this some time past, swelled the Allegheny and Monongahela to a great height, and several Kentucky boats passed down the latter adrift, all of them loaded. The Allegheny overflowed its banks to such a degree, that a great part of the reserved tract, opposite this place, was under water. The inhabitants of the ferry house were obliged to leave it, and it was with the greatest difficulty they escaped, as the flat, canoes, &c., had been carried by the water to what is called the second bank; a great distance from the usual bed of the river. We have not yet received an account of the damage done, but judge it must be considerable.

BATTLE EXTRAORDINARY.—We received a few days ago the following account of a battle between a Bull and a Ram. It is from the pen of a gentleman of our acquaintance who was an eye witness to the greater part of the fight, and is therefore no fiction; but a faithful narration of what really took place.—*Intelligencer.*

A FATAL DUEL!

Aries versus Taurus.

On the morning of the 22d inst. as ——— of Buckingham township was feeding his cattle in the barnyard, a large four year old bull and ram came in collision as each was attempting to possess a straggling lock of hay. The latter perceiving his expected morsel about to be swallowed by his adversary, drew back to the distance of 15 or 20 feet—and with a well-directed stroke which sounded like a mall, almost prostrated the mighty quadruped. The blow was near being repeated, when the bull retreated and was pursued by the ram round and round the inclosure, while the head and horns of Aries came bang against the sides and rear of Taurus with such oft-repeated knocks that he roared vehemently. At last, coming up to a five rail post fence, he cleared the arena, and made down an adjoining lane, muttering imprecations at every jump. His pursuer, steady to his purpose, ran under a bar raised some feet from the ground, and soon came up with his enraged and affrighted antagonist—the head of the ram still approaching with the precision of an engineer, the unprotected part of the *fort*—while every shot of the assailant evidently moved on the bulwark and increased its velocity in open space. Having arrived at the boundary of the course, both suddenly wheeled, and with the speed of race horses, came in full view of the farm house; Taurus bellowing with rage and fright, and Aries giving him a full *salute* at the distance of about every 20 yards. Running one-eighth of a mile, brought them to a fence straight across the course. Here the bull, exhausted and panting for breath, with his tongue extended, once more put himself in an attitude for battle. His antagonist was instant to meet him, but being the more exhausted of the two, and the bull being driven to desperation—with frenzied force, now became the assailant, and with one tremendous thrust planted one of his horns the whole length, in the side of his adversary—just behind his shoulder. These terrible pushes were several times repeated, and the brave but unfortunate animal expired instantly. Having slain his enemy, he stood gazing at him for some moments with “dread concern” lest he should rise again; and when the farmer had reached the spot he found the victor still gazing at his fellow enemy, and unwilling to be driven from the scene of action. The ram was a noble animal of the kind—he had been more than once attacked by dogs, but owing to his courage, (as is supposed) escaped without material injury. At the age of one year and three months, he sheared 6½ lbs. of wool.

Among the proceedings of the Court in Northampton, reported for the Easton Centinel, is the following case:

Commonwealth } Indictment for taking the dead
vs. } body of Hugh Pugh, in Strouds-
Da'l. Huntsman. } burg.

The facts of this case were briefly as follows. Mr. Pugh had been buried some two years ago, but contrary to the custom of the congregation, had not been placed in the same row with his friends, but in the burial row of the Hollingshead family. One of the said family deeming herself near her latter end, and anxious to be laid beside her deceased sister, to which arrangement the grave of Mr. Pugh, as then located, was an obstacle, employed the defendant to remove the coffin a few feet further off. This was accomplished without the knowledge of Mr. Pugh's friends, and as they al-

leged, with circumstances of carelessness and brutality; contending that the grave was very shallow—the coffin broken and placed in the grave on the side. The Judge charged the Jury, that taking up the dead body and removing it with such intentions as evidently actuated the defendant in this case, ought not to be considered as an indictable offence. The Jury found a verdict of not guilty.

EASTON, (Pa.) April 4, 1833.

FEAT OF A HORSE.—A horse belonging to Mr. Deemer, of Williams township, becoming frightened at something in the yard of the Lamb Inn in this borough, after clearing himself of the wagon, to which he was attached, ran for the street. There are two passages from the yard, and a deep cellar was “being dug” across one of these. The animal in his fright ran to the brink of the cellar, and although the chasm was twenty feet across, he cleared it at one bound, without injury! He looked, when in the yard, like another ‘Sleepy David,’ but like the Yankee's horse, he proved his mettle!

The city loan of one hundred thousand dollars, was on Monday distributed in the following manner:

To Thomas P. Cope and Joseph Roberts, ex-		
cutors of Stephen Girard's will, at	115	\$76,300
George Platt,	115	15,300
John D. Sheaff,	115	3,400
John D. Sheaff,	116	5,000

BANK STOCK.—The sale of Stock of the Merchants and Manufacturers Bank of Pittsburgh, ended yesterday afternoon. It met with a very ready sale and has yielded a handsome revenue to the state. We understand that a large amount has been purchased by Philadelphia capitalists. The following is the number of share sold each day; and the average prices at which they were purchased:

Monday,	2271 sh.	at an average of about	\$53 per share
Tuesday,	3387	do	54 21 “
Wednesday,	3731	do	55 70 “
Thursday,	2609	do	56 “

12,000

DIVIDENDS.

Commercial Bank,	4 per cent.
Mechanics,	4½
Kensington,	5
Girard,	3
Farmers and Mechanics,	4
Southwark,	4
Philadelphia,	3
Schuylkill,	4
Manufacturers and Mechanics,	3
*Northern Liberties,	5
Penn Township,	5
Western,	3
Chiltenham and Willowgrove Turnpike co.	3
Easton and Wilkesbarre,	1 50 p. share.
Germantown and Perkeomen,	2½ per cent.
Chesnutthill and Springhouse,	3
Frankford and Bristol,	2 00 p. share.
Farmers of Bucks County,	4 per cent.

* Also extra dividend, 5 per cent.

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HAZARD'S REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

VOL. XI.—NO. 20.

PHILADELPHIA, MAY 18, 1833.

NO. 281.

AUDITOR GENERAL'S REPORT ON THE EXPENDITURE OF THE COMMONWEALTH FOR 1832.

No. I.

INTERNAL IMPROVEMENTS.

Turnpikes.

Washington and Williamsport	\$8,234 97
Milesburg and Smethsfort	3,052 18
Lycoming and Potter	3,623 17
Washington and Pittsburg	30 39
Mount Pleasant and Pittsburg	2,400 00
	<hr/> \$17,340 71

Bridges.

Franklin Bridge Company, per act of 26th April, 1832	2,000 00
Monongahela Bridge Company, per act of 8th March, 1832	5,000 00
Catawissa Bridge Company, per act of 10th April, 1828	2,500 00
Milton Bridge Company, per act of 4th May, 1832	2,300 00
William Scott, Andrew Christy, and James Waugh, per 35th section of the act of 4th May, 1832	600 00
	<hr/> \$12,400 00

Canals.

Commissioners of the Internal Improvement Fund, balance of loan per act of 21st March, 1831	1,038,213 34
Commissioners of the Internal Improvement Fund, balance of loan per act of 30th March, 1831	25,000 00
Commissioners of the Internal Improvement Fund, amount of temporary loan per act of 9th March, 1832	75,000 00
Commissioners of the Internal Improvement Fund, amount received of loan per act of 30th March, 1832	1,750,000 00
Commissioners of the Internal Improvement Fund, amount of loan per act of 5th April, 1832	300,000 00
Commissioners of the Internal Improvement Fund, amount of Stephen Girard's Legacy	300,000 00
	<hr/> 3,488,213 34

State Roads.

Robert Levers, Philip Fisher, and George Hilyard, commissioners per act of 21st March, 1831	300 00
David Sellers, Asa M'Clelland, and Samuel Morris, commissioners per act of 21st January, 1832	2,500 00

Henry Mumper, and Solomon Bower, commissioners per act of 4th May, 1832

1,000 00	3,800 00
	<hr/> \$3,521,754 05

No. II.

EXPENSES OF GOVERNMENT.

Senate.

Pay and mileage of the members	\$16,684 80
Clerks	1,897 00
Transcribing	895 00
Sergeant-at-arms and door-keepers	1,355 50
Printing and binding	6,773 06
Contingencies	5,230 49
	<hr/> \$32,835 85

House of Representatives.

Pay and mileage of the members	50,055 60
Clerks	1,902 00
Transcribing	2,180 00
Sergeant-at-arms and door-keepers	1,378 00
Printing and binding	9,425 14
Contingencies	9,550 43
	<hr/> 74,491 17

Executive Department.

Governor's salary, for part of 1831	1,000
Ditto for 1832	4,000
	<hr/> 5,000 00
Secretary of the Commonwealth	1,600 00
Deputy Secretary	1,000 00
Clerks	3,075 00
Contingencies	1,378 81
	<hr/> 12,053 81

Judiciary Department.

Chief Justice's salary	2,666 65
Associate Justices of the Supreme Court	8,500 00
Circuit expenses	6,424 00
Attorney General's salary	300 00
Presidents of the Court of Common Pleas	29,106 00
Judges of District Courts	9,236 00
Recorders of Mayors' Courts	2,100 00
Associate Judges	18,226 98
	<hr/> 76,559 63

Treasury Department.

State Treasurer's salary	1,400 00
Clerks	2,650 00
Printing annual report for 1831	356 00
Contingencies	523 92
	<hr/> 4,929 92

Accountant Department.

Auditor General's salary	1,400 00
Clerks	3,100 00
Printing annual report for 1831	80 00
Contingencies	735 11
	<hr/> 5,315 11

<i>Land Office.</i>		Disbursements		5559 94	
Secretary of the Land Office,		Samuel Ringwalt, first brigade,			771 19
Salary	1,400 00	fourth division, salary			200 00
Clerks	3,660 00	Joel Baker, second brigade, fourth			
Contingencies	648 24	division, salary	315 00		
	5,708 24	Disbursements	61 88		376 88
<i>Surveyor General's Office.</i>		Michael H. Spangle first brigade,			
Surveyor General's salary	1,400 00	fifth division, salary	190 30		
Clerks	3,250 00	Disbursements	360 00		550 30
Contingencies	370 33				
	5,020 33	Jacob Sanders, second brigade,			
<i>Miscellaneous Expenses.</i>		fifth division, salary	181 69		
Wardens of the Port	1 966 11	Disbursements	609 17		790 86
Jesse R. Burden, chairman of		Joel Bailey, first brigade, sixth			
the joint committee of the		division, salary	225 00		
State Library	514 00	Disbursements	306 17		531 17
William Musgrave, former librarian	76 00	Jeremiah Shappell, second brigade			
Edward Snyder, late do	60 00	sixth division, salary	250 00		
Robert Dickey and Isaac Hoves,		Disbursements	130 83		308 83
taking care of the State Capitol		John H. Keller, first brigade, se-			
during the recess of the		venth division, salary	315 16		
legislature	60 00	Disbursements	494 02		809 18
Expenses of a committee of the		Jacob Hartz, second brigade, se-			
legislature appointed to confer		venth division, salary	210 00		
with the executors of late		Disbursements	294 76		504 76
Stephen Girard, and the consti-		John Ludwig, first brigade, eighth			
tuted authorities of the city		division, salary	270 00		
of Philadelphia	139 00	Disbursements	416 70		686 70
Sundry witnesses in the case of		Isaac Bowman, second brigade,			
the investigation of the official		eighth division, salary	300 00		
conduct of Judge Ross	1,508 50	Disbursements	300 00		600 00
Ditto, in the case of Judge Young	2,235 10	Samuel Thomas, late do. disburse-			
Ditto, in the case of the Canal		ments			85 01
Commissioners	1,581 10	Robert Fleming, first brigade,			
Joseph B. Ard, a witness in the		ninth division, salary	103 25		
case of the investigation of the		Disbursements	159 08		262 33
official conduct of James		Joseph J. Willis, late do. dis-			
Clarke, when acting canal		bursements			14 81
commissioner	15 70	John Horton, jr. second brigade,			
Henry Welsh, printing pamph-		ninth division, salary	250 00		
let laws, &c. for 1831—32	2,481 87	Disbursements	425 45		675 45
Charles F. Muench, folding,		Henry Barnhart, first brigade,			
stitching, &c. do	369 00	tenth, tenth division, salary	230 00		
James Trimble, boxes, pack-		Disbursements	350 00		580 00
ing, &c. do	73 31	John Hasson, second brigade, tenth			
John Myers, carriage of the laws,		division, salary	227 50		
&c. for 1830—31	150 00	Disbursements	25 00		252 50
Elias Beidleman, do for 1831—32	420 00	Edward Armor, first brigade, ele-			
W.S. Franklin, and F.R. Shunk,		venth division, salary			273 06
per resolution of 4th April,		Jacob Heck, second brigade, ele-			
1831	300 00	venth division, salary	200 00		
	\$11,889 69	Disbursements	115 68		315 68
	\$228,803 75	Samuel Davidson, first brigade,			
		twelfth division, salary	105 00		
		Disbursements	312 52		417 52
		Alexander Hanna, second brigade,			
		twelfth division, salary			190 00
		John Hitchman, first brigade, thir-			
		teenth division, salary	230 00		
		Disbursements	468 78		698 78

No. III.

MILITIA EXPENSES.

Samuel Power, adjutant general, salary and expenses	\$563 25
George B. Porter, former do. postage and carriage of military books	84 72
Daniel Sharp, inspector first brigade, first division, salary	500 00
John Davis, first brigade, second division, salary	375 00
Samuel A. Smith, late do. disbursements	2 77
Henry Daub, second brigade, second division, salary	270 00
Thomas Jones, first brigade, third division, salary	250 00
Disbursements	201 56
	451 56
John Kerlin, second brigade, third division, salary	211 25

Joseph Eneix, second brigade, thirteenth division, salary	200 00	
Disbursements,	172 12	372 12
John Park, first brigade, fourteenth division, salary	230 00	
Disbursements	449 20	679 20
Benjamin Anderson, late do. disbursements		2 50
Lot Lantz, second brigade, fourteenth division, salary	270 00	
Disbursements	492 42	762 42
Andrew M'Farland, first brigade, fifteenth division, salary	300 00	
Disbursements	530 83	850 83
Robert Orr, jr. second brigade, fifteenth division, salary	217 50	
Disbursements	486 07	703 57
B. G. Goll, first brigade, sixteenth division, salary	300 00	
Disbursements	455 65	755 65
Edward A. Reynolds, second brigade, sixteenth division, salary	290 00	
Disbursements	731 46	1,021 46
Andrew Christy, third brigade, sixteenth division, salary,	240 00	
Disbursements,	507 11	\$747 11
Lewis Plitt, keeper of the Arsenal at Harrisburg, salary,	120 30	
David Phillips, do at Meadville, salary,	100 00	
Daniel Sharp, do at Philadelphia, expenses of inspecting arms,	30 00	
Lewis Plitt, hauling and storage of arms,	7 50	
Joseph Lowry, hauling arms,	11 00	
George Cunkle, cleaning and repairing arms in the Arsenal at Harrisburg,	592 16	
Joel Bailey and Lewis Plitt, making a cannon carriage	104 00	
Lewis Plitt, repairs of the Arsenal at Harrisburg,	9 50	
William Berrett, colours, &c.	306 00	
William Ent, do.	400 00	
Frederick Keefer, drums and fifes,	73 75	
Alexander Patterson, repairing drums,	31 00	
Mary Smith, balance due her late husband, per act of 5th January, 1832,	120 28	
M. H. Spangler, per act of 2d May, 1832,	60 00	
		\$20,074 66

No. IV.

Members of Courts Martial, &c.

Per act of 11th April, 1825.

Robert Smith, former brigade inspector, first brigade, ninth division,	\$145 68
Robert Beatty, late inspector, second brigade, fifteenth division, per resolution of 10th April 1832,	229 00
Joseph M'Masters, late deputy marshal, per act of 16th March, 1832,	57 60
John Miller, one of the administrators of John Kendal, deceased, late deputy marshal of Berks county, per act of 7th May, 1832,	396 95
Peter Ehinger, sergeant-at-arms per resolution of 10th April, 1832,	30 15
Lt. Col. John Neal,	157 20

Joseph Barr,	23 66
Major James Moore,	7 73
Captain John Guthrie,	114 80
Meek Kelly,	114 80
John Loughry,	114 80
Lieut. John Wilkins,	95 40
	\$1,487 77

No. V.

Pensions and Gratuities.

Amount of Pensions and gratuities by special acts of the legislature, and under the power vested in the board for the relief of officers and soldiers of the revolutionary war,

\$24,888 20

No. VI.

Education.

Dickinson College,	3,000 00
Washington College,	500 00
Jefferson College,	2,000 00
Deaf and Dumb Institution,	2,470 98
Reading Academy, per act of 5th May, 1832,	3,000 00
	10,970 98

No. VII.

Interest on Loans.

Holders of the 5 p. c't. loan of 1821	46,700 00
Do. loan of 1824	30,000 00
Do. loan of 1825	7,500 00
Harrisburg Bank & others, on loan per act of first April, 1826,	7,725 00
	\$1,925 00

No. VIII.

Internal Improvement Fund.

Auction duties,	71,446 02
Premiums on loans,	377,561 77
Dividends on bridge, navigation, and turnpike stock,	23,210 00
Collateral inheritances,	21,803 97
Escheats,	2,132 43
State treasury,	93,329 20
Canal tolls,	57,874 95
Canal fines,	18 00
Increase of county rates & levies,	35,193 30
Tax on personal property,	110 00
	\$82,379 64

No. IX.

Penitentiary at Philadelphia.

Samuel R. Wood, warden	1,500 00
William Griffiths, overseer	575 00
Richard Blundin, do	550 00
Philip Hahn, do	342 71
John S. Holloway, do	250 00
John Hervey, do	126 77
William Bean, do	125 95
John Daly, watchman,	275 00
Franklin Bache, physician,	300 00
	4,045 43

No. X.

Penitentiary near Pittsburg.

John Irwin, treasurer, bounty to convicts per 8th article of the act of 23d April, 1829,	160 00
Salaries of Officers, per ninth section of the act of 23d April, 1829:	
John Patterson, warden	800 00

Joshua E. Crosby, overseer	500 00
Joseph Davis, do	410 62
Gilbert McKown, do	86 07
William Parker, watchman	365 00
William Reilly, do	293 75
William H. Denny, physician	300 00
James Wilson, clerk	50 00
A. D. Pollock, late do	150 00
	<u>2,955 44</u>
	<u>\$3,115 44</u>

No. XI.

Conveying Convicts.

James Sillyman, jr. Sheriff of	Berks county	50 64
James A. Scholes, do	Beaver	21 00
Benjamin Morris, do	Bucks	11 25
Isaiah Reed, do	Columbia	96 45
George Beetem, do	Cumberland	41 00
Jacob Seiler, do	Dauphin	58 85
William Fleming, do	Erie	92 63
John A. Sangston, do	Fayette	71 30
David Washabaugh, do	Franklin	86 87
Daniel Spangler and Upton Washabaugh	deputies, do	97 90
Adam Bear, Sheriff of	Lancaster	116 25
Oliver Helme, do	Luzerne	200 00
John Witt, do	Somerset	49 50
Jos. Henderson, do	Washington	37 96
Lucius Collins, do	Wayne	112 45
		<u>1,144 05</u>

No. XII.

Conveying Fugitives.

Jacob Castor	9 67
Willis H. Blayney	188 10
John Leidich	13 15
Abraham Sigman	37 11
Anthony Burns	41 31
Adam Bare	129 37
Upton Washabaugh	122 97
Harman Wireman	16 50
John T. Brown	40 88
Henry Kamerer	89 71
Willis H. Blayney, per resolution of 5th April, 1832	300 00
John Stewart and Simeon Hays, per act of 4th April, 1832	200 00
	<u>1,188 77</u>

No. XIII.

Defence of State.

Francis M'Manus, bounty per act of 19th March, 1816	10 00
Alexander Magee, do	10 00
Daniel Dorling, do	10 00
Alexander Mullin, only surviving legal representative of James Mullin, do	10 00
Captain Isaac Lynn, per resolution of 10th February, 1832	103 84
	<u>143 84</u>

No. XIV.

Miscellaneous.

Henry W. Smith, collecting public money,	42 50
Amzi Fuller, do	2 87
John Y. Barclay, do	27 03
Samuel G. Bailey, do	26 42
Robert Allison, do	30 10

Reah Frazer, professional services as attorney for the commonwealth, in the case of E. Connelly, administrator of James Graham, deceased, vs. Michael Withers and George Withers, in Lancaster county 25 00

David Cash, professional services, as attorney for the Commonwealth, in the case of Job Shepard, vs. the Commonwealth of Pennsylvania, in the Common Pleas of Bradford county 100 00

William Wilson, information relative to unpattented lands in Perry county 310 00

Daniel Small do York 1,719 00

John Hays do Union 156 00

Sundry printers for publishing the Governor's proclamation to convene the legislature in November, 1829 16 50

John Kurtz, former treasurer of Somerset county, amount refunded him for overpayment on account of exempt fines 56 00

Henry Welsh, publishing circuit courts, 23 59

Hugh Hamilton & Son, do 8 75

Ditto, printing and binding a certificate book for the loans per acts of 30th March and 5th April, 1832 5 00

Henry Welsh, publishing a list of hawkers' and pedlers', for 1831 and 1832 19 00

Leonard S. Johns, do 18 00

John B. Sterigere, costs in the case of the escheated estate of Jane Rankin, deceased 56 80

Walter S. Franklin, deputy escheator, in the case of the estate of Jacob Nearpass, deceased, 83 85

Daniel Small, informant, do 277 58

Thomas Ross, costs in the case of the alleged escheated estates of Edwards West and John Reynolds, late of Bucks county deceased, per resolution of 7th May, 1832 235 95

Samuel J. Packer, cost in the case of the alleged escheated estate of Dinah Henderson, late of Northumberland county, dec'd. per resolution of 7th May, 1832 61 67

Solomon Sprigman, furnishing a day book for the Auditor General's office 12 00

Ditto, furnishing stock books, for the loans per acts of 30th March and 5th April 1832, for the Auditor General's office 134 00

James Loudon, furnishing do. for the Treasury office 110 00

John G. Lowry, late treasury of Centre county, amount refunded for an overpayment on account of retailers licenses 0 60

Elizabeth Brobst, widow of Christian Brobst, amount of collateral inheritance tax refunded to her per resolution of 20th December, 1831 31 57

Commissioners for revising the civil code per resolutions of 4th April, 1831, and 7th April, 1832 6,000 00

Commissioners of Mercer county,
amount refunded them on ac-
count of tax on donation lands,
per act of 27th March 1819 112 18
Ebenezer Ferguson, superinten-
dent of the gunpowder magazine
in the county of Philadelphia,
per act of 26th April, 1832 581 41
—————\$10,283 30

From the Pennsylvania Inquirer.

PHILADELPHIA AND BALTIMORE RAIL-ROAD,

By the Way of Oxford.

Extracted from the report of Edgar Thompson on a
Survey of the Oxford Rail-road.

PHILADELPHIA, May 31st, 1831.

Gentlemen—In compliance with your request of the 20th ultimo, "that I would ascertain the practicability of constructing a rail-road between the Pennsylvania railway in the great valley, and the Susquehanna river in the vicinity of Port Deposit, I have now the honour to submit for your information, the following report on my examination, accompanied by a plan and profile of the route, explanatory of the same.

Before proceeding to the location of a rail-way, it is necessary to ascertain the nature and state of the trade to be accommodated, as on the result of this inquiry considerable dependence should be placed, in settling the preferable route.

The principal object obtained by the completion of the road, will be a medium of transportation between Philadelphia and Baltimore, that shall be uninterrupted at all seasons of the year. The conveyance of passengers, light parcels, and the mail, will therefore be a chief source from which the company are to derive their revenue, and in all probability, the amount of this trade will be equal in opposite directions.

A second object of the road, and which is thought by some, to be of scarce less importance to the profit of the undertaking than the first mentioned, is the conveyance of lime and limestone, articles indispensable to the agriculturists of the districts through which the road will pass. As the route commences in, and immediately leaves the limestone formation, this trade will be carried wholly in the direction towards the Susquehanna river.

Several other sources might be enumerated from whence the revenue of the company will be materially augmented. Such as the conveyance of agricultural products, and the carriage for the numerous mills, forges, and factories in the vicinity of the line—but the two leading objects first above referred to, should alone influence the direction and cost of the road.

Having now given a general view of the nature of the traffic anticipated, the principles that should govern the selection of the route, so as to ensure the accomplishment of those objects by the most safe and economical means of conveyance, comes next to be considered—These may be summarily stated to consist in disposing the inclination (and horizontal curvature) of the road, so that the cost of construction may be the least possible, compared with that of transportation.

A primary object, therefore, being celerity and safety of transit, horizontal curvature should be avoided as far as practicable, or its radii increased to as great an extent as is consistent with a due regard to economy.

The preponderance of trade, however, will be in the direction towards the Susquehanna river. Did the face of the country permit, there could be no doubt of the superiority of locating the road with an uniform slope, such that the motive power used to transport the relative amounts to be conveyed in each direction should be a minimum—but as this can seldom be attained without an increased length of road, or encountering heavy

excavations and embankments, the most that can be anticipated is an average incline of moderate deviations from uniformity—this, with little exception, is obtained in the present instance in an eminent degree.

From this slight reference to the character of the trade, and the principles that should govern the location of the road, I will now proceed to give a general description of the country intermediate to the Pennsylvania rail-way and Port Deposit, which will serve to show that the project is not only entirely practicable, but its execution can be effected for a sum so limited, that a profit on the investments may be fairly anticipated at least proportionate to the cost of construction.

General Direction of the Line.

It will be seen by the geographical view of the district under consideration, that the waters of the Susquehanna river are parted from those falling into the Delaware river and the east side of Chesapeake bay, by a ridge which traverses its whole extent, almost in a direct line from the Pennsylvania rail-way to near Port Deposit.

This prominent feature of the country readily suggested the general direction of the route most advantageous for the proposed road.

Its course, diverging from the Pennsylvania rail-way, where it crosses this dividing ground, 45½ miles from Philadelphia, was traced along its summit, passing through Cochranville, Edentown, Russellville, Haysville and Oxford, and thence intersects the Susquehanna about half a mile above Port Deposit.

The character of the country so evidently marks out the general line of the road, that examination for a different route was thought wholly unnecessary—the direction of the line traced, however, may be materially improved in its detail, when a more minute survey shall have been made.

Following the summit of the ridge, few difficulties will be encountered in the construction of the road, The south valley hill, the most important impediment across the track of the route near its beginning, stretching east and west, and is only passed by a considerable excavation through the narrowest part of the ridge. The line rising at an inclination of 44 feet per mile.

Near the state line an embankment of 22 feet in height at what are called the Barrens, and a short excavation 30 feet in depth through the ridge dividing the waters of Octorara creek and Rock run beyond the Battle swamp tavern, constitute the only remaining difficulties worthy of mention. When it is considered that these occur on a line 31½ miles in length, whose remarkable feature is that not a single bridge or culvert is necessary, as no water courses, save one or two small spring runs, are crossed in the whole distance (and those in Maryland,) the location will be thought an unusually favourable one.

The line alternately ascends and descends, conforming as near as the principles of the location will permit to the natural face of the ground, and has been divided into the following graduations:

TABLE OF GRADIENTS.

Ascending.	Descending.
m ch.	m ch.
2 30 at 44 ft. per mile.	1 20 at 44 ft. per mile.
1 00 at 30 do do	6 65 at 6½ do do
2 70 level.	5 06 at 30 do do
4 32 at 14 do do	1 60 at 26½ do do
	4 02 at 14½ do do

Total distance, ascend, 7¾ miles. Level, 2¾ miles. Descend, 19 miles.

It will be perceived that with the exception of the rise at the South valley hill, the inclination on no part of the line exceeds 30 feet per mile, and the places are few, and the distances short, where even the latter grade is used. On two-thirds of the whole distance the inclination is less than 15 feet per mile, and in accor-

dance with the principle stated in a previous paragraph, is traced chiefly descending.

The road, therefore, from its moderate graduations and freedom from sharp curvature, the radii of which being in no place less than 1,000 feet, is well adapted to the advantageous use of Locomotive power.

The descent at the Susquehanna river is effected by a plane falling one in 23; as water can be obtained for the moving power on this plane, the cost of transportation on it may be considered no greater than on other portions of the line, and its moderate slope will free it from all risk in descending it.

My opinion of the facility or difficulty of grading the road bed will be best seen by consulting the following estimate of its probable cost.

Summary estimate of forming the bed of the road for a double rail-way, 25 feet in width.

Section No. 1. From Penn. rail-road to Futhy's,	3 m. 50 ch.	\$33,400
2. From Futhy's to Cochranville,	2 30	3,060
3. Cochranville to Fog's Manor M. H. road,	1 60	1,905
4. Fog's Manor M. H. road, to Russellville,	2 34	1,752
5. Russellville to Haysville,	1 65	3,250
6. Haysville to Oxford,	2 60	3,896
7. Oxford to Port Deposit road,	2 00	2,648
8. Port Deposit rd. to the Barrens,	1 75	4,655
9. The Barrens to Md. State line,	1 40	8,834

From the Penn. Rail Rd. to the Md. line, which is to be made by the Ox. Rail Rd. Co.	20 14	63,400
10. From the state line to Conowingo road,	1 40	1,180
11. From the Conowingo road to M'Cready's,	1 60	1,360
12. From M'Cready's to M'Graw's M. H. road,	2 10	2,400
13. From M'Graw's M. H. road to Battle Swamp,	2 40	6,510
14. From Bat. Swp. tavern to inclined plane,	1 46	12,900
15. To the river Susquehannah,	1 50	9,850

Total cost of forming the bed of the road,	31 20	97,600
Cost of that portion in Md.	11 6	34,200

A double rail-way may be constructed of wooden string-pieces, and wooden cross sleepers, &c. &c. laid complete, at \$8,000 per mile, which for 31½ miles is	\$250,000
Road bed as per estimate,	97,600
Machinery, &c. at plane,	11,000

Add for superintendence and unforeseen contingencies,	35,800
---	--------

394,400

It will be seen from the above estimate that the average cost per mile of the whole line is \$12,630. Of that portion in the State of Pennsylvania called the "Oxford Rail-Road," 20½ miles, \$12,255 per mile.

The cost of forming the bed of the rail-road for a double way, and laying a single road (with suitable turn outs) will not exceed \$9,000 per mile. This plan it would be advisable to pursue in the first instance. Under a well regulated system of transportation, it will be calculated to accommodate all the trade on the road, and a second track may be added as this increases.

The superstructure is estimated to be of wood, plated with 5-8 inch bar iron, which plan is advised as being best adapted to this country.

In conclusion I will remark, that in consequence of the peculiar formation of the country, and cheapness of construction of your road, together with its large amount of local trade, so decided a superiority is given to the route traced, that no "opposition line" may be anticipated. The distance from Philadelphia to Port Deposit is 76½ miles.

All of which is respectfully submitted by

Your obedient servant,
JN. EDGAR THOMPSON,
Civil Engineer.

In connection with the foregoing, Mr. T. made a reconnaissance of the ground between Baltimore and Port Deposit, which resulted very favourably, making the distance 41½ miles, or 118 miles from city to city, by rail-way, but as this part of the line has since been taken up by the Baltimoreans, and is now being prosecuted, (the stock having been subscribed, see Mr. Freeman's letter,) it is thought unnecessary to embody his remarks on that part of the subject.

It may be well to mention that the books for the section from Port Deposit to this line, 11 miles, will be opened in the course of a short time. The whole distance for which the stock has not yet been subscribed, is only 31½ miles.

The following letter has been received:

By request I have examined Mr. Thomson's report and plans of the Oxford Rail-Road; I concur with his remarks on the subject, and believe the estimate for forming the road to be liberal in all its items.

From the description given of the line by Mr. Thomson in his report, I should consider the route both practicable and highly favorable for a rail-road.

(Signed.) JOHN WILSON,
Chief Engineer of the Penn. Rail-Road.

From the Philadelphia Gazette.

PROCEEDINGS OF COUNCILS.

Thursday evening, March 14th, 1833.

SELECT COUNCIL.—The following communication from the City Commissioners was received and referred to a joint committee of two members of each Council, and Messrs S. Wetherill, Merrick, Massey, and McCredy were appointed the committee.

CITY COMMISSIONERS' OFFICE, }
March 14th, 1833. }

To the President and Members of the Select Council.

Gentlemen,—The City Commissioners respectfully inform Councils, that the supply of oil is nearly exhausted, and that they have purchased a lot of about twelve hundred gallons from Mr. T. W. Morgan, which it is believed will last until a new contract shall be made. They wish instructions from Councils whether they are to advertise for proposals, and the quantity.

By order of the City Commissioners,
ROBERT H. SMITH, City Clerk.

The annexed communication from the Trustees of the Girard College was received.

Philadelphia, March 7, 1833.

To the Select and Common Councils of the City of Philadelphia.

Gentlemen,—In compliance with the instructions of the Board of Trustees of the Girard College, I have the honour to inclose a copy of a resolution of that Board passed on the 5th instant.

Very respectfully, yours,

N. BIDDLE,

President of the Board of Trustees.

At a meeting of the Board of Trustees of the Girard College, held Tuesday, March 5th, 1833.

Resolved, That the President of the Board be requested to apply to Councils for an appropriation of five hundred dollars to cover the expense of a messenger books, stationary, and other contingent expenses of the Board. From the committee,

JAS. BAYARD, Sec'y.

The following communication from Thomas Lancaster and Son, was received and referred to the committee on the Drawbridge Lot.

Philadelphia, March 14th, 1833.

To the Select and Common Council of the City of Philadelphia.

Gentlemen,—Your petitioners occupying the store and wharf of George Blight, on the south side of Spruce street, beg leave to call your attention to the manner the public dock at the foot of said street and immediately adjoining our premises is disposed of. In consequence of Councils appropriating that dock exclusively for the use of oyster boats, it became necessary for us to permit them to occupy our wharf and dock. To remedy in some measure the disadvantages their location subject us to, we rented, about ten years since, the public dock aforesaid, at a rent of twenty dollars more per annum than had previously been collected. This we continued to occupy until last April, when it was rented to Henry Lelar & Son, for one year. Our object in making this communication is to inform you of the great injury to the private property we occupy by keeping the boats at the public dock and renting said dock, and its advantages to one who is not accommoded nor injured in any way. Our end of Spruce street wharf if we could get clear of the oyster boats, would yield an annual income of \$500, but now will not produce 300 in consequence of the oyster carts occupying the wharf as a stand, thereby preventing large vessels from coming there during the oyster season. We are also deprived of renting a store on the wharf, which if half a square distant, would rent for 200 dollars per year, but in consequence of the evil complained of will not command a tenant. Our doors, pavement and even the street opposite the store, are frequently blocked up with carts, &c. thereby preventing that free passage to our store that our business so much requires. We trust that Councils after being thus informed of the great injury to private property by the present disposition of the dock, will either cause the removal of the oyster boats, or rent it to us at a price that will remunerate for some of the disadvantages complained of. In conclusion, we would respectfully ask Councils to appoint a committee to visit the premises and ascertain the truth of our assertions.

Very respectfully, yours, &c.

THOS. LANCASTER,

JACOB B. LANCASTER.

The following communication from Thomas Haven, was received and referred to the Paving Committee.

Philadelphia, March 11.

To the Select and Common Councils,

Gentlemen,—I have lately purchased the property on the Schuylkill, from Bank street to the River, in width 244 feet. It is my intention to build a wharf joining on

South street. If the city intend building a wharf at South street, it will greatly lessen the expense of building by allowing me to join with them: to this proposition I ask your attention. As these wharves when built will be improved, and improvements will be made on Water street, it will greatly accommodate all those who may purchase the property to have either South street paved to Bank street, or to level and pave Willow street. If the city will purchase the 78 feet from my lot to Lombard street, and will allow me to unite with them in projecting and building wharves to fill up the square, including Lombard street and South street, four good wharves can be built, and save a great expense. Whereas, only two wharves can be built by me—by joining, there will be four hundred and twenty-two feet, which will give four wharves and two docks. To these propositions your attention is respectfully requested.

Your obedient servant,

THOMAS HAVEN.

Mr. Lippincott as Chairman of the committee made the annexed report and resolution which were adopted.

The committee to whom was referred the communication of a committee of the House of Representatives of the Commonwealth of Pennsylvania, respectfully report,

That they have met the committee of the House of Representatives, and received a communication in detail of their views with respect to "obtaining a relinquishment to the state, of the jurisdiction of the city over the public square at the intersection of Broad and Market streets."

The committee have not deemed it necessary to ascertain whether the city has any legal authority to cede its jurisdiction over the premises in question, deeming it as they do altogether inexpedient to relinquish the same.

They recommend the adoption of the following resolution.

That the Presidents of Councils be authorised to communicate to the committee of the House of Representatives of the Commonwealth, the opinion of these Councils that it is inexpedient for the city to part with its jurisdiction over the square at the intersection of Broad and Market streets.

Mr. Lippincott as chairman of the Committee of Ways and Means, made the following report.

The committee of Ways and Means to whom was referred the communication of Cornelius Stevenson, City Treasurer, dated 5th January, 1833, on the subject of sundry certificates of the United States three per cent stock, that have been paid off, report

That they have reinvested the amounts therein mentioned, as follows:—

Forty-four hundred dollars in a certificate of United States five per cent stock, at an advance of 102½ per cent, requiring the payment of \$4521, from the fund of John Scott's legacy.

Also, eighteen hundred dollars in certificate of same stock at same advance requiring the payment of 1849 50-100 dollars from the fund for supplying the necessitous Poor with fuel.

Mr. Lewis as Chairman of the Committee, made the annexed report and resolution, which were adopted.

The Committee to whom was referred the communication of Mark Richards and James J. Rush, on behalf of themselves and others, proposing to light the city with Gas,—beg leave to report,

That there is now an Ordinance reported by a joint committee of Councils, which provides for the construction of works for that object, to be erected at the cost of the city, and wholly under the control of its proper officers; while that plan is still before Councils and undetermined, it would obviously be improper to consider the present application, at least so far as to accede to its terms.

The applicants propose, if the City will grant them

the use of the lots indicated in the report of the Gas Committee for the works and gasometer station, and furnish the necessary funds to erect works and lay down pipes, &c. that they will pay five per cent. per annum interest on all the money so furnished, light four lamps in every square throughout the city free of charge—and furnish such private citizens and public or other institutions as may require it, Gas, at such price as shall be equivalent to oil at sixty cents per gallon.

Similar applications to the present, have repeatedly been made by individuals in former years, but have always been rejected by Councils;—not, it is believed, from an unwillingness to introduce this superior mode of lighting into our city; but from a conviction that any investment of the kind, which would be profitable to a Company, would be equally so to this Corporation; and from a belief, that it would be highly inexpedient to permit a Company to exercise, even a limited control over the public streets, or to do for the citizens, that which can be conveniently done by themselves, through their constituted authorities.

They are further strengthened in this position by the fact, that the applicants only propose to light up five miles in each and every year, which would necessarily require many years for its completion. The manufacture and sale of Gas is believed to be a profitable business; little doubt can therefore remain, that the whole of our streets will be lighted up by that means, from works erected under the authority and direction of Councils, long before the period at which it would be accomplished, according to the plan referred to our consideration.

The Committee are fully aware that objections exist at the present moment among a portion of our citizens, to the introduction of Gas—founded no doubt upon a sincere belief in the injuries which may be sustained by it. They however are of opinion, that the period is not distant, when from a further knowledge of the subject, these objections will be gradually removed, and that a large majority will be found in favor of this improvement.

The Committee however are decidedly of opinion, that whenever the introduction of Gas is determined upon, it should be conducted under the immediate control and direction of Councils, and that the interest of the city will not be promoted, by extending this privilege to others.

The committee beg leave to offer the following resolution for the consideration of Councils—

Resolved, That it is inexpedient to grant permission to Messrs. Mark Richards, James J. Rush and others, to light the city with Gas.

All of which is respectfully submitted.

Mr. Massey as Chairman of the committee on the Sinking Fund, made a report.*

Mr. Massey read in his place the following ordinance, which was laid on the table,

Whereas the practice has been for the Corporation to borrow money for permanent improvements, payable at a distant period, being also for the benefit of posterity, therefore a fair proportion of the burden should fall upon our citizens yearly to pay, and that such sums should be appropriated yearly from the income of the corporate estate, and other sources as shall be adequate to pay the same when it becomes due, and recommend the adoption of the following ordinance.

An Ordinance empowering the Mayor of the city to borrow money, being in part of the permanent improvement incident to the Fairmount Water Works, expended in the years 1829, 1830, 1831 and 1832.

Sect. 1. Be it ordained and enacted by the citizens of Philadelphia, in Select and Common Councils assembled, That the Mayor be and he is hereby authorised to advertise in the daily newspapers published in the city,

that he will on behalf of the Corporation receive proposals on the 20th of April next for a loan of one hundred thousand dollars, at an interest not exceeding five per cent per annum, payable half yearly on the first day of January and first day of July; for which certificates of one hundred dollars each, or in larger sums as may be most convenient to the lender, provided that no certificate shall contain any fractional part of one hundred dollars,—shall be issued in the usual form, the said loan to be redeemable on the first day of July, one thousand eight hundred and sixty five, and not before, unless with the consent of the holders of said Certificates, which shall be transferable in like manner with other certificates of the city debt, and any premium which may be obtained on said loan shall be placed to the credit of the Sinking Fund.

Sect. 2. Be it further ordained, &c. That from the sum of one hundred thousand dollars to be borrowed in pursuance of the first section of this ordinance, the balance of 29,701 85, stated in the accounts of the Watering Committee for the year 1832, be first deducted, and the remaining sum shall be passed by the City Treasurer to the credit of the Tax Fund for the year 1833.

Sect. 3. Be it further ordained, &c. That any ordinance in existence contrary to the directions and provisions herein contained, is hereby repealed.

Mr. Eyre reported an ordinance which was passed by Councils.

COMMON COUNCIL.—Mr. Houston presented a petition from James R. Garrigues, which was referred to the committee on Markets.

Mr. Gowen presented a petition for Paving Walnut street, from Schuylkill Seventh street to Front street, which was referred to the Paving Committee.

Mr. Chandler called up for consideration the ordinance relative to the building of the Girard College, which was agreed to, and was passed by the Common Council, but was not acted on in the Select Council.

Several petitions were presented for and against lighting the city with Gas, which were referred to committee on Gas.

The Common Council adjourned to meet again on Thursday next, at 7 o'clock.

—
Thursday, March 11, 1833.

SELECT COUNCIL.—A communication from the Treasurer of the Girard Trusts was received, and was referred to the commissioners of the Girard Estate, with power to act—respecting a bill from Mr. George Pepper, for six months interest due on the 1st instant, on a mortgage held by him against the Girard estate.

Mr. Groves presented a petition of the Watchmen of the city, praying for an increase of wages, which was referred to a joint committee of two members from each Council, viz. Messrs. Aiken, Houston, Worrell, and McCredy.

Mr. Lippincott presented the following communication, which was referred to the Paving Committee.

To the Select and Common Councils of the City of Philadelphia.

The memorial of the Indigent and Single Women's Society of Philadelphia, respectfully sheweth:

That in consequence of the cutting necessary to reduce Cherry street, between Schuylkill Fifth and Sixth streets, to its established regulation, your memorialists will be forced to incur considerable expense in altering the steps and area of their Asylum, and in curbing and paving their lot. The income of the society from the decrease in the number of their subscribers, is at present inadequate to the support of the helpless individuals under their care, every one of whom, were it not for the exertions of your memorialists, would have been a charge upon the public. They have been obliged during the last year to disburse nearly \$300 beyond their

* See page 203.

receipts, and they are now actually without the means of defraying the expense incident to the required repairs and improvement.

Under these circumstances, as the public have been for many years benefited by the operations of the society, to nearly the whole amount of their expenditure, and as a diminution of their present means will render them unable to bestow as extensively as heretofore, the advantages of the institution, already limited far below the wants of the persons they relieve,—your memorialists trust your honorable bodies will free them from their present embarrassment by directing these alterations to be made at the public expense.

MARY YORKE,

Vice President of the Widows' and Indigent Women's Society,
Philadelphia, 14th March, 1833.

Mr. J. P. Wetherill offered a resolution, which was agreed to, allowing to each constable six dollars for services at late ward election.

Mr. Massey called up for consideration the ordinance reported by him at the last meeting of Councils, which was agreed to, and was passed by the following vote:—Yeas, Messrs. Eyre, Groves, Ingersoll, Lippincott, Massey, McCredy, and Neff,—7. Nays, Messrs. J. P. Wetherill, and Worrel,—2. But was laid on the table in the Common Council.

Mr. Groves called up for consideration the ordinance relative to the Girard College, which was agreed to and passed.

Mr. J. P. Wetherill called up for consideration, the resolutions which he offered at the meeting of Councils on the 6th inst. relative to the Schuylkill Navigation Company, which was agreed to, and the resolutions were passed.

Mr. McCredy presented the annexed petition from Messrs. Reeves & Toy, which was referred to the committee on Markets.

To the honourable the Select and Common Councils of the city of Philadelphia.

The memorial of the undersigned respectfully sheweth, that your memorialists have occupied for the last two years, the wharf and dock at the foot of Market street, on the Delaware, as a steam ferry boat landing; for which they have paid an annual rent of \$1200, being 700 per annum more than they paid previous to the re-building of the wharf; which excess was added in consequence of the wharfage which it was presumed might be collected from vessels lying at the said wharf. But your memorialists beg leave further to represent, that by reason of the reserve made by the city in favour of fishing boats for more than two months in the year, they have not been able to derive any considerable sum from that source; the wharfage not amounting to \$80 per year, and that therefore your memorialists believe that the rent of \$1200 per annum is more than they ought under such circumstances to pay, and their lease having expired in February last, they pray that a committee of Councils may be appointed to view the said landing, and confer with your memorialists relative to said rent, and a renewal of their lease. And your memorialists, &c.

ISAIAH TOY,
ISAAC REEVES.

March 21, 1833.

Mr. Groves as chairman of the committee, made the following report and resolution which were adopted.

The committee appointed to continue the Columbia rail-road along Broad street, report, that they have adopted the following resolutions, which they submit to the consideration of Councils.

Resolved, That it is expedient that turn outs be made on the rail-road along Broad, between Vine and Cedar streets for the accommodation of individuals at such places as they may be required, the same to be done under the inspection and superintendence of the engi-

neer appointed by the committee, at the expense of the applicants.

Resolved, That the Paving Committee be instructed to cause Broad street to be paved from Walnut to Cedar streets, as soon after the rail-road is completed as may be practicable.

The Select Council agreed to the resolution of the Common Council, relative to the hour of meeting.

Thursday evening, March 28, 1833.

Mr. J. P. Wetherill was called to the chair in the absence of the president.

SELECT COUNCIL.—Mr. Neff presented the following petition which was referred to the committee on Chesnut street wharf, Schuylkill.

To the Select and Common Council of the city of Philadelphia.

Your petitioners, manufacturers and traders, located in the Western part of the city, and bordering on the river Schuylkill, respectfully represent:

That the annual and rapid increase of the trade on said river, and a want of corresponding increase in wharves, renders your petitioners liable to many inconveniences for want of landings for wood, stone, lumber, lime, sand, &c. much of which they at present are obliged to cart from the Delaware, while the public property at the termination of the streets on this river are but little improved.

Your petitioners would therefore respectfully suggest the propriety of at least wharfing out Walnut and Locust streets the ensuing season.

The Select Council then proceeded to elect the building committee of the Girard College, and Messrs. Neff, McCredy, Ingersoll, and Lippincott, were elected.

Mr. Groves presented the annexed petition, which was referred to the committee on Markets.

To the Select and Common Councils of the city of Philadelphia.

The memorial of the undersigned inhabitants and owners of property in the western parts of the city, and others interested in the property of that section, respectfully sheweth:

That in the opinion of your memorialists, Western Market Houses are indispensable to the comfort and convenience of the inhabitants residing in that section of the city. Your memorialists deem it unnecessary to enter into detailed reasons to prove the fact. They have frequently been urged on the attention of Councils by former memorials to which they beg to refer, and the want of Markets must be obvious to all who are acquainted with the state of improvements which have been made and are progressing in the western parts of the city.

Your memorialists having solely in view the establishment of Market Houses for the actual accommodation of the inhabitants, are indifferent to their locality; they however beg to suggest that in High street between Oak and Twelfth streets, would give greater facilities and at less public expense than any other position that could be adopted. Should your honourable bodies believe that the act of Assembly only authorizes the extension of the present Market Houses, they respectfully request that application be made to the Legislature for an alteration in the law. They further beg to state that that part of High between Oak and Juniper streets, the law does not apply.

A petition from T. J. Bryant, was received and laid on the table, applying for the office of Superintendent of the Girard Buildings, about being erected for the College for Orphans in Penn Township.

COMMON COUNCIL.—The following communication from the Board of Trustees of the Girard College was received.

Board of Trustees of the Girard College }
for Orphans, March 28, 1833. }

To the Select and Common Councils of the city of Philadelphia.

Gentlemen,—I am instructed to inform you that in conformity with the 4th section of the Ordinance passed by Councils on the 21st inst. the following gentlemen have been appointed a committee on the part of this Board to confer with a similar committee of the Councils.

Nicholas Biddle
B. W. Richards
Joseph McIlvaine
John Steele

William M. Meredith
T. McEnen
Thomas Dunlap
Richard Price.

I have the honor to be, very respectfully yours,

THOS. McEUEEN,
Secretary pro. tem.

Mr. Gilder presented a petition from owners of property on Lombard street, near Schuylkill, which was referred to the Paving Committee with power to act.

Mr. Gowen presented the annexed petition which was referred to the committee on Logan Square.

To the Select and Common Councils of the city of Philadelphia.

The subscribers would respectfully solicit the attention of Councils to the public ground in the north-western section of the city called Logan Square. Of the four public squares in the original plan, this one appears to have been hitherto, the least regarded. The two eastern ones are among the chief ornaments of the city: Rittenhouse Square has been levelled and nearly fenced in, while Logan Square is not only unimproved, but in consequence of being now used as a place of deposit for street dirt and manure, it will become a nuisance to the neighboring inhabitants, and if suffered to remain in this state during the summer, may prove very injurious to their health. Although the time may not yet have arrived for laying it out as a public pleasure ground, the subscribers hope that Councils will agree with them that it should at least be properly levelled and enclosed. Already several public buildings have been erected in its vicinity, and if it were put in proper order, the progress of improvement in that part of the city would, no doubt, be greatly accelerated. The present time, too, is favourable for this purpose, as it is believed that the earth requisite for filling up the low parts of the ground, can now be obtained in the neighborhood at little or no expense.

The subscribers would therefore pray the honorable Councils to adopt such measures for the improvement of this public square as they may deem most expedient.

A communication from the owners of property in Sixth, between Cresson's alley and Race street, praying that the curb stones be re-set and the street be paved, was received and referred to the Paving Committee.

Mr. Elliott presented a bill from Mr. Downing, for attendance at the exhibition of Plans of the Girard College, which was referred to the committee on Plans.

Mr. Chandler read in his place, an ordinance relative to the Girard College, which was passed.

Mr. Merrick as chairman of the committee made the following report, with an ordinance.

The committee to whom was referred the petition of sundry watchmakers, praying that means may be provided at public expense, for furnishing them with observations sufficiently frequent for regulating public clocks and marine chronometers—report,

That they have conferred with the representatives of the petitioners, on the subject of their request, and are of opinion that it is for the public good, and ought to be granted.

It appears that for some time past, there have been no available means, by which observations could be had,

with sufficient frequency to ensure an accurate regulation of time keepers.

For many years, observations were made by a gentleman well qualified for the task, who had charge of the Friends' school observatory in Fourth street. The engagements of this gentleman having of late, prevented his bestowing the same attention to this object, the watchmakers have been deprived of the means of regulating time pieces, except upon occasional observations, often at long intervals of time.

Apart from the convenience arising in all large communities, from a uniform regulation of clocks, there are considerations which point out the absolute necessity of some adequate provision for the accomplishment of this end.

The safety of our navigation, depends much upon the accuracy of the chronometers with which vessels are supplied—not only should the instruments give the true time at their departure, but the rate of their loss or gain should be known, or the consequences may be fatal.

In some instances within the past year, nearly a month has elapsed, without an observation, and of course without the means on the part of the regulators of informing ship masters of the rates on which the time of their chronometers is to be calculated—an error of one minute in the time may cause an error of several miles in the calculation of a vessel's longitude—and on a long voyage, unless the rate of a chronometer is known, the most disastrous errors may be committed.

Your committee have therefore inquired how this evil may be remedied, with the least expense, and in the most perfect manner. They learn that an arrangement can be entered into between a committee of watchmakers and the Friends' school, for the use of their observatory, provided the expense attending it be paid by the city.

It is proposed to place a clock in a small building within their enclosure, a view of which shall at all times be accessible to the public, with its rates recorded, the expense of a suitable clock with its accommodation to be paid by the city.

It is also proposed, that a committee of watch makers, to be appointed by councils, be authorized to engage such individual as they may select, and in whom they have confidence to take observations at least three times a week when the sun is visible, to take charge of the clock, and record every observation.

Such an arrangement will be found most beneficial, as the care and responsibility of keeping the time accurately recorded, will fall on those most interested. In accordance with these views your committee present the draft of an ordinance.

All which is submitted.

The Common Council then proceeded to elect a Building Committee for the Girard College, and Messrs. Gilder, Byerly, Haines, and Merrick, were elected the committee.

At a joint meeting of the Select and Common Councils, held last evening, Mr. Thomas U. Walters, was elected the Architect for the Girard College—the vote was

Mr. Walters	16
Mr. Strickland,	13

CAPE DE VERD SUFFERERS.

PHILADELPHIA, May 10, 1833.

The Committee of Superintendence of the contributions for the relief of the Cape de Verd Islands, who were directed by the town meeting of the citizens of Philadelphia, on the 25th of February, to resume their efforts, Report:—

That immediately on their appointment, they proceeded to execute the duty assigned them, and have now the honour to submit to their constituents the final result of their labors.

The attention of the committee was first directed to the organization of the Ward and District Committees of the city and the adjoining districts, to which were added a circular to many parts of the interior of this state, inviting their co-operation, and finally a subscription from benevolent individuals in Philadelphia. From these sources, the following contributions were obtained.

From the Ward and District Committees,	\$ 519 50
From the interior of the state,	1,456 47
From 18 individual subscriptions in Philadelphia,	1,080 00
From various contributors in money,	1,005 90
Donations in provisions from twenty-two sources, valued at	223 37
To these they had the satisfaction of adding a remittance from the committee of the citizens of New York, being the surplus of funds remaining after sending the last cargo of provisions to the Cape de Verds, from the same city,	741 33
Balance in hand at settlement of former account,	209 63
	<hr/> \$5,236 20

These various contributions the committee have great pleasure in recording in the annexed statement, as an act of gratitude due to the generous contributors, and they would deem themselves wanting in a sense of justice as well as good feeling, if they did not in a particular manner return their thanks to their fellow citizens in the interior of the state, for the spirit of liberal kindness with which they have contributed in many instances, for the second time, to this charitable object.

From all these sources, the committee were enabled to accumulate the sum of \$5,236 20, including the valuation of the provisions contributed.

This sum was expended in the purchase of a third cargo, estimated at 1935 barrels of provisions, and costing with the expenses of insurance and other incidental charges, \$5,161 24. These were shipped in the brig Franklin, Captain Thomas Lyle, chartered for the purpose, which sailed on the 27th ult. for the Cape de Verds. There remains a balance of \$74 96, to which must now be added a donation received through Messrs. Gillespie and Jones, but which arrived too late for shipment by the Franklin, of eighteen barrels of flour, forwarded by Mr. John Slatter, from the village and township of Shellsburg.

The general result of the operations of the Committee of Superintendence is,

That they have received contributions in money and produce, amounting to \$15,598 60.

With these they have sent to the Cape de Verds, three cargoes of provisions estimated at 5,158 barrels, the expense of procuring and forwarding which amounted to \$15,523 64, leaving the balance already mentioned, of \$74 96 and eighteen barrels of flour.

The committee of Superintendence in closing their labours enjoy the great satisfaction of having witnessed a signal display of kind and generous feelings, on the part of their fellow citizens, towards the distressed sufferers in a foreign country, and believing that these contributions have contributed to rescue from death a great number of human beings, and to alleviate the misery with which the whole population of the Cape de Verd Islands was afflicted.

All which is respectfully submitted.

W. Heister, of New Holland, Lancaster county	\$ 20 00
Reading	212 32
Williamsburg	5 00
Allentown, Lehigh county	75 50
Harmon	18 42
Wilkesbarre	91 00
Harmony and Zelianople	20 00

Gettysburg	61 50
Pittsburg \$100 and 37 75,	130 75
Dr. Rose, of Silver Lake	10 00
Bedford	33 50
Easton	301 00
Ebensburg	45 00
Aaronsburg	107 00
Mercer	76 59
La Grange Works, near Bustleton	78 75
Jefferson county	5 00
J. F. Hollerman, of Pottsville	5 00
Bucks county Farmer	10 00
A Friend in the country	10 00
Lancaster—A. R.	5 00
A Friend in Susquehanna county	20 00
Collections and Donations in the neighborhood of Marcus Hook	45 14
Lebanon, M. \$50—D. 10,	60 00
A Friend in Bethlehem	5 00
Mrs. Lewis, of Delaware county	5 00
	<hr/> \$1,456 47

South Mulberry ward, collected by Messrs. Thomas Earp, and George Handy, in parts of this ward, \$207.

Do. do. by Messrs. Ambrose White, and S. Craig, 80,

Do. do. by Edward Needles, 28, \$315 00

Lower Delaware ward, collected by Dr. Gebhard and Jno. Dennis, in part of this ward, 60 00

Chesnut ward, collected by Messrs. Isaac Elliott, and Wm. Janvier, in part of this ward, 65 00

North ward, collected by Messrs. Wm. Collins, and W. S. Dillingham, in part of this ward, 35 00

From John Goodman, N. L. deposited with him by sundry persons, 40 00

From R. Renshaw, Esq. of Southwark, the offering of an orphan, 4 50

From the Mayor, forwarded to him by the following, viz:

Capt C. M. Thurston, U. S. army at Fort Trumbull, New London, \$20 00

William Lennard, Esq. 5 00

"Mary," 5 00

From Joseph R. Chandler, Esq. editor of the United States Gazette, and acknowledged by him in that paper, from sundry individuals, 146 00

New York, two contributions, each \$10, 20 00

S. Emlen, of Burlington, 50 00

A friend in Portsmouth, N. H. 3 00

Lawrenceville, N. J. 5 00

From various other sources, 751 90

From 18 individuals, subscriptions in Philadelphia, 1,080 00

New York surplus funds, 741 33

Donations in provisions from twenty-two sources, consisting of flour, corn meal, rye flour, midlings, mess beef, pork, mackerel, herrings, navy bread, dried bread, potatoes, and garden seeds, valuation at 223 37

Balance in hand at former settlement, 209 63

\$5,236 20

Dr.—To cash sundry persons in full for provisions and incidental expenses,	4,937 87
The amount of donations in provisions credited this account,	223 37
	<hr/> 5,161 24

Balance of cash in hand, \$74 96
Philadelphia, May 9, 1833.

ROBT. RALSTON, Treasurer.

JOHN SWIFT, Chairman.

RICHARD RENSHAW, Secretary.

From the Commercial Herald.

PENNSYLVANIA CANALS.

Statement of the amount of Canal Navigation in the State of Pennsylvania.

Works Constructed by the State.

1. Canal from Columbia, on the Susquehanna, to the mouth of the Juniata, and up the Juniata to Hollidaysburg at the Eastern base of the Allegheny mountain—distance 171 miles 246 perches.

2. Canal from Johnstown on the Conemaugh, at the western base of the Allegheny, down the Conemaugh, Kiskeminetas and Allegheny, to Pittsburg—distance 103 miles. [The above lines connected by the "Portage Rail-road" over the mountain, form the great East and West communication. It has a double connexion with Philadelphia, one from Columbia, by the way of the Pennsylvania Rail-road, and the other from Middletown, nine miles below Harrisburg, and 18 miles above Columbia, by the Union canal.]

3. From the mouth of the Juniata up the Susquehanna to the forks at Northumberland, then up the North Branch to a point two miles below Wilkesbarre. Distance 96 miles 295 perches. [It is contemplated to extend this at some future day to the North line of the State, when a communication by canal and rail-road will take place with the Erie canal.]

4. Canal from Northumberland at the forks of the Susquehanna, up the West Branch to the Muncy dam—distance 26 miles 160 perches. [For extension see below.]

5. French creek feeder, intended to supply with water the future communication between the Ohio and Lake Erie—length 19 miles.

6. A Canal from Bristol to Easton on the Delaware.—Length 59 miles 240 perches. [This is the channel by which the Coal Trade of the Lehigh reaches Philadelphia.]

Total length of Canal completed by the State, and now navigable, 479 miles, 141 perches.

Canals constructed at the expense of Corporations, and now in actual use.

7. The Union Canal from the Schuylkill, opposite Reading, to the Susquehanna at Middletown.—Length 82 miles 88 perches. Branch Canal and feeder belonging to the Union Canal Company 22 miles in length—with a Rail-road of four miles to the Pine Grove coal mines.

8. The Schuylkill Navigation, from Port Carbon on the Schuylkill to Philadelphia.—Length 108 miles.

9. The Lehigh Canal, from Easton on the Delaware, up the Lehigh to Mauch Chunk.—Distance 46 miles.

10. A part of the Hudson and Delaware Canal, from Honesdale on the Lackawaxen to the mouth of that stream.—Supposed 20 miles.

11. Conestoga navigation, an improvement of Conestoga creek by locks and dams from its mouth up to the city of Lancaster.—Distance about 14 miles.

12. The Codorus navigation, an improvement of Codorus creek from its mouth up to the borough of York, length about 10 miles.

Total Canals authorized and now in use, 759½ miles.

The Canals authorized and now in progress at the

expense of the state, and likely to be navigable by the end of this year, are

From Muncy dam on the West Branch, up that river to the mouth of Bald Eagle creek.—Distance 40 miles and 18 perches. [This is an extension of No. 4, and will complete the improvement contemplated in that quarter.]

From two miles below Wilkesbarre up the North Branch of the Susquehanna to the mouth of the Lackawanna.—Distance 12 miles 316 perches. [This is an extension of No. 3, and will leave about 90 miles towards the North line of the State untouched.]

From the confluence of the Beaver with the Ohio, (20 miles below Pittsburg,) up the former river to New Castle.—Distance 24 miles 240 perches. [This is the commencement of a communication between the Ohio and Lake Erie, which will pursue a northerly direction up the valley of the Shenango to the summit at Conneaut Lake, thence to Lake Erie, at the town of Erie. At the Conneaut summit it will be supplied with water from French creek, by a feeder described above as No. 5. From New Castle to Erie by the route selected will be about 78 miles.]

A Canal and slackwater along French creek, from the commencement of the Feeder to the junction of that creek with the Allegheny.—Distance 25 miles 224 perches. [This work does not form a part of any great communication.]

Total of State Canals authorized and in progress, and likely to be completed this year, 103½ miles.

Total of State Canals already in operation, 479½ do

Total of Company Canals already in use, 280½ do

Grand total of Canal navigation in Pennsylvania in 1834, 863½ miles.

By this statement it appears that after the present year only 90 miles on the North Branch of the Susquehanna, and 78 miles, between the Ohio and Lake Erie, will remain to complete the whole system of improvement adopted by the State of Pennsylvania, and upon which operations commenced in the summer of 1826, less than seven years ago. That system will embrace when completed,

1. A great line of communication from Philadelphia, passing by Lancaster, Columbia, Middletown, Harrisburg, Lewistown, Huntingdon, Hollidaysburg, Johnstown, Blairsville, Pittsburg, Beaver, New Castle, and Meadville, to the borough of Erie, on Lake Erie. The whole distance 535 miles, of which 118 miles is by Rail-road, 28 miles by the Ohio river, and 397 miles by Canal.—Distance from Philadelphia to Pittsburg, 393 miles, of which 118 is Rail-road, and 275 Canal. [This passes through the great Iron region of the Juniata, the Salt and Bituminous Coal of the Conemaugh, Kiskeminetas, and Allegheny, and a country abounding in agricultural products.]

2. A great line from Philadelphia to the junction of the Tioga with the North Branch of Susquehanna on the boundary of New York, where a communication is now forming with the Erie Canal, by way of Chenango Point. This line diverges from the former at the mouth of the Juniata and passes Liverpool, Selin's Grove, Northumberland, Danville, Berwick, Wilkesbarre, Pittston, Towanda, and Athens. It passes through the Wyoming Coal region, and opens a rich agricultural country to market. Whole distance 324 miles, of which 81 miles are by Rail-Road, and 234 by Canal—common to the great Western route 81 miles of Rail-Road and 43 of Canal.

3. The West Branch Canal from the mouth of Bald Eagle to the Forks at Northumberland, where it unites with the line last mentioned. It opens the richest land in the state—the valuable Iron of Bald Eagle valley, and the inexhaustible beds of Bituminous Coal on the West

Branch and its tributaries. These articles will have their choice of markets between Philadelphia and the interior of New York, where both are needed.

4. The improvement of French creek and the Delaware Canal, which at present are rather detached works, than parts of any great system of communication.

This brief summary, including all the works undertaken or contemplated by the States, is sufficient to show that the Pennsylvania System of Improvement is simple in itself, and that almost every part is necessary to the perfection of the whole. By an examination of the map it will appear, that every important section of the state which it was practicable to reach, has been brought into communication with the city of Philadelphia. The counties on the Southern Border, whose waters run into the Potomac and Monongahela, are alone excluded—and that by the operation of paramount natural causes.

Although this article has extended itself to an unusual length, we cannot forbear one additional remark.

Philadelphia has already three artificial communications with the Valley of the Susquehanna, namely, by the Union Canal, the Pennsylvania Rail-Road, and by the Chesapeake and Delaware Canal. The fourth is now constructing under the name of Danville and Pottsville Rail-Road from the head of the Schuylkill navigation to the forks of the Susquehanna. A fifth is practicable; has been long talked of, and will be executed unless we greatly overate the enterprize of the parties interested. We refer to a communication from the head of the Lehigh Canal, to the North Branch, either at Berwick or at Wilkesbarre. Fifty miles of Canal, or 35 of Rail-Road would effect this object.

What is to be the effect of these multiplied communications? Whether profitable to their owners or not, they cannot fail to promote the greatness and prosperity of Philadelphia. They cannot fail to develop the whole resources of the interior, and then conduct the trade to her market.

The highest point at which the Susquehanna can be tapped is Wilkesbarre. Around that place is the anthracite of Wyoming Valley, extending 20 miles along the North Branch, and 30 miles up its tributary the Lackawanna. Above it is a country of great fertility, including some five or six counties of New York, whose natural outlet and present course of trade is down the Susquehanna. The products of the region above Wilkesbarre, will find their shortest passage to Philadelphia by way of the Lehigh.

At Sunbury, 60 miles below Wilkesbarre, the Danville and Pottsville Rail-Road leads over to the Schuylkill, and will accommodate the coal, iron and produce which comes down the West Branch, or which arises in the intermediate country.

At Middletown, 63 miles below Sunbury, the Union Canal puts off towards Philadelphia. Between these two places, the coals of Shamokin and Mahanoy, the produce of Penn Valley and other rich sections, and the whole trade from Pittsburg, Lake Erie, and Juniata, are poured into the Susquehanna.

At Columbia, 20 miles below Middletown, is the Pennsylvania Rail-Road leading directly to Philadelphia, and lastly the Chesapeake and Delaware Canal offers a cheap conveyance for the Lumber and other heavy articles, which may have reached tide water by the channel of the Susquehanna.

If after all these drains have acted on the Trade of our great river, any considerable portion yet escapes to Baltimore, either by the Chesapeake Bay, or by the York Rail-Road, it must be, because nature has given that City some insuperable advantages of location.

It has been remarked, that three Canals, each passing through a very extensive and productive country, are poured into one common trunk between Middletown and the mouth of the Juniata, and it has been argued, that if all these Canals do a good business, the common

trunk must be overloaded. By the successive drains to which we have referred, this, the most plausible objection to the Pennsylvania system of improvement is obviated, and a choice of conveyance to the Philadelphia market is afforded, suited to the peculiarity of every description of merchandise.

Here we close for the present our notice of the Pennsylvania Canals. We have confined our attention thus far to the connexions they form with one great market on the Sea Board. On a future occasion we shall demonstrate their value as means of intercommunication between different sections of the State, and for the interchange of commodities produced by one and wanted by another. In this view the ultimate profitableness of the works will be made apparent beyond the possibility of a doubt.

CANAL TOLLS.

Owing to the breach in the Union Canal, there has been a falling off of receipts at this place for the last week. From 8 A. M. of Monday April 29, to 8 A. M. of Monday May 6, the tolls at Harrisburg were \$875 24.

Notice of Deposits has not been received at the Treasury from all the Collectors of Tolls on the Pennsylvania Canal, but as far as they had come to hand this morning they were

For March	\$ 701 77
April	9,098 08
May	7,026 54

\$16,826 35

In addition to the above tolls, there was received by Mr. Hendel, the collector at Middletown, since the first of May, the day the office was opened up to the evening of the 3d, 339 dollars. Making \$1274 24 on this division since our last.

A LAUNCH.

On Saturday last was launched at the canal basin in this place, the packet boat *Washington*, of Columbia. We understand she glided into the water very gracefully. The *Washington* was built for the Columbia Packet Boat Company, by Messrs. Borbridge and Atlee, and cost \$1200. She is constructed of the best materials; is 78 feet in length and 12 feet in width; draws but nine inches of water; and for beauty her model is said to excel any thing of the kind on the Pennsylvania canals. She is to be fitted up with two cabins—one for ladies and one for gentlemen. The ladies' cabin will have eight stationary berths; the gentlemen's cabin will have twelve—and arrangements will be made for the suspension of an equal number of temporary births—making forty the whole number. It is intended to have the boat finished and ready for use by the 11th of this month.

The enterprising builders have commenced the construction of a second boat, similar in size and model to the above. We wish them a profitable job of it.

Columbia Spy.

DUNCAN'S ISLAND.

The suit between the widow and heirs of Callender Duncan, and the heirs of Judge Duncan, in relation to the right and title of Duncan's Island, in the Susquehanna, which has been in law for several years, was decided to-day by the Circuit Court, Judge Rogers presiding, in favor of the present occupants, the widow and heirs of Callender Duncan.

Telegraph.

HARRISBURG, (Penn.) May 1.

REMARKABLE.—The thermometer stood yesterday, April 30th, during the day, at 84 degrees. The Susquehanna is so low that a drove of cattle forded it; an occurrence never before witnessed in April, by the oldest inhabitants. Wheat, rye and grass are suffering by the drought.

"ALL SOULS' CHURCH."

To the Christian Public.

A congregation under the above title, connected with the Protestant Episcopal Church, has been formed in this city; and holds its meetings on Sundays, in the elegant and commodious saloon of the "Adelphi," south Fifth below Walnut street.

Its charter has passed the supreme court of the state, being allowed by their honors the judges. It has also been unanimously sanctioned by the Right Reverend the Bishops, and by the standing committee of the diocese.

The peculiar feature of the constitution is the entire dispensing with the selling and renting of pews; and a dependence for defraying the necessary expenses of the church, on voluntary stated contributions, by the week, month, quarter, or year, as may suit the subscribers themselves. The sittings, of course, will be free to all who shall attend public worship with the congregation, even as strangers. The interment of the members shall be free, in the burial grounds belonging to the church; and of all others, at the lowest rates asked at any other ground. The regular expenses of the church, in every case, shall be defrayed by the free will offerings of its members, and the voluntary contributions of its friends.

The average of the subscriptions already obtained proves to the members that as good a support of religious services may be obtained in this way as upon any other plan; provided, that, they had a building erected, upon which there rests no heavy debt. And they, respectfully and earnestly, appeal to a generous public for effectual aid in the accomplishment of such an object.

They have already received sufficient encouragement to warrant them in the securing of a lot, on the east side of Broad street about 40 yards below Spruce street. On which they are desirous of building, immediately, a commodious church remarkable only for its plainness. In the basement story of which it is designed to have convenient school rooms to be rented out for day schools, with others to be used for Sunday Schools, and other religious purposes. This building they intend to commence as soon as such an amount of funds is subscribed, as to justify their proceeding without the apprehension of a serious debt resting on them.

The plan is certainly on the most liberal footing that can be devised. And those persons who may be disposed to unite with the congregation on those convenient terms, may rest assured that such rules will be adopted, such by-laws framed, and such measures taken, by the vestry and congregation, as will, as far as possible, secure them from being imposed on by the designing, or being injured by any waste or loss of property.

It rests with the community at large to say whether we shall proceed to a successful consummation of our plan or not. To them, under an over-ruling Providence that ordereth all things well, we with the utmost confidence, leave the determination.

Persons desirous of uniting themselves to the congregation, or of contributing to the building, are requested to call, at as early a day as possible, on any of the following persons, viz:

The Rector.

Robert Piggot, No. 306 Pine street, above Tenth.

The Wardens.

Robinson R. Moore, No. 7 Jefferson Row, Lombard above Ninth street.

William Brown, No. 143 South Second street.

Vestrymen.

Alexander S. Van Pelt, No. 101 Walnut street, below Fourth.

Wm. Jas. A. Birkey, No. 99 South Fifth street.

Jarvis Wright, South Tenth, below Tenth street.

John K. Bringham, N. W. corner of Lawrence and Wallace street, Spring Garden.

Wm. Stephens, No. 266 Lombard street.

W. W. Mariner, No. 493 Market street, below Juniper.

Samuel Priestly, No. 18 South Front street.

Daniel B. Cummins, No. 244 Market street, above Seventh.

William J. Robinson, Ann street, above Twelfth st.

Peter W. Wiltbank, No. 166½ Market street, below Fifth.

ENTERPRISE OF INDIVIDUALS.

Messrs. F. & J. Church, of Chenango county, New York, purchased of Appollas Woodward, Esq. 100 acres of land adjoining the borough of Williamsport for the sum of 10,000 dollars. They divided a portion off into eighty Town Lots—and have disposed of the balance together with about fifty of the Lots. In this one speculation, they must have made about 4000 dollars: an enterprize which we do not believe could have been so readily effected by our own citizens.

They also purchased of Abbot Green, Esq. of Lewisburg, a plot of ground along the Crosscut, for the sum of 5,725 dollars—a portion of which they laid out into a town called Churchville, and have already made sale of upwards of one hundred of the Lots. There can be little doubt but a town of considerable magnitude will spring up here, in a few years, which will vie with the neighboring towns. If internal navigation be of any advantage, this town will have it.

In addition to the above purchases they contracted with George Schnable, Esq. of Lewisburg, for his extensive brick building, in that Borough, for a round price with an exchange in other property—which they have already sold for 5000 dollars cash. On Monday last these enterprising individuals left this borough for Missouri, Illinois and Indiana, where no doubt they will seize an early opportunity of making the wilderness blossom.

Miltonian.

May 4th, 1833.

Something like four weeks have sped and gone, since our section of country has been visited with rain sufficient to lay the dust. The consequence is, the crops, which have presented a very favourable appearance since the opening of spring, are beginning to suffer. The atmosphere is very smoky, caused by the fire in woods, which has done considerable damage wherever it has raged. We understand that Dan. Calwell, Esq. estimates his loss 1000 dollars, and the fire in the mountains still rages. The mornings are cool, and the middle of the day excessively warm for the season. On Tuesday, Wednesday and Thursday, of this week, at 3 o'clock P. M. the thermometer stood at 80° above zero.

Ib.

THE RAIL-ROAD.

It will be seen by a notice in our paper of to-day that the west end of the Gap section on the rail-road is again advertised for re-letting. The difficulties encountered by the workmen on this part of the road are great and seem almost to baffle human exertion. The greatest excavations are to the depth of 37 feet. After digging down a certain distance, a stratum of quick sand is found which appears to fill up the opening nearly as fast as removed. Frequently the banks cave in and fill up what was before supposed to be sufficiently excavated. Sometimes a portion of the bank sinks down perpendicularly, and is covered up by the quick sand. We visited this place a few days ago, and were told of an instance of this latter kind. A part of the bank bordering on the excavation was separated from the main ground by a crack of perhaps half an inch wide on the surface. Three strangers had stepped on this detached part, not thinking of any danger. A gentleman of the neighborhood cautioned them on the subject, and two of them left the spot. The third one re-

mained awhile, but feeling the ground shake under him, he gave a jump, and immediately the place he was standing on, sunk down and appeared beneath the quick sand. What is very remarkable, at the greatest depth, to which excavations have been made, large sticks of timber have been dug out, some in a tolerable state of preservation—in other places the decay is so great that you can pass the spade through it, as though it were dirt—yet the form of the timber is distinctly visible. We have a piece of wood in our possession taken out at the depth of thirty-three feet, which is evidently of chesnut. It is so perfect that its years may be clearly traced, and small pieces of iron ore may be seen on it in a number of places. The curious may see it by calling at our office. The question arises, how came this timber at such a distance from the surface of the earth? Was it there before the flood—or did the natural state of the earth enable it to find its way down to this great depth?—The first seems the most reasonable. —*Columbia Spy.*

JUNIATA CANAL.

Business continues to increase daily—the “far west” already realizes benefit from it. From 12 to 15 wagons engaged in conveying merchandize over the portage to Blainville, are laden at Hollidaysburg daily. The enterprising David Leech has now on the Juniata division, six new boats, which make a trip, each, per week, from Middletown to Hollidaysburg, making a daily line of arrivals and departure of boats, generally deeply laden with freight and passengers.

Our little port of Lewistown is doing a full share of canal business; already have more than one hundred clearances been granted at the Collector's office—and the tolls have largely increased from a corresponding period of last year. The boats that have left this place, have all been laden with the produce of the citizens of Mifflin county—and judging from appearances, one-half of it is not yet gone. —*Lewistown Rep.*

From the opening of the canal navigation, which was on the 18th of March, this spring, to the 25th of April, inclusive, 101 clearances issued from the Collector's office at this place, and \$1,964 90 toll taken. —*Lewistown Rep.*

From the *Ebensburg Sky.*

THE CANAL.

We have received from Mr. Walker, the Collector at Hollidaysburg, the following statement of arrivals and departures since the 10th of April, the day on which he took charge of the office. Mr. Walker has politely promised to send us the weekly lists of arrivals and departures, for publication in our paper.

“Arrivals at the Port of Hollidaysburg, from 10th to 30th April, 34 boats, carrying 657 tons 11 cwt. dry goods, groceries, queensware, gypsum, fish, rail-road iron, and blooms. The greater part of the tonnage was in merchandize destined for Ohio, Illinois, Missouri, Kentucky and Tennessee.

The departures during the same period having been 31 boats, carrying 58 tons, principally bacon and tobacco, including glass, flour, whiskey and merchandize from Pittsburg, destined principally for Philadelphia, with the exception of the tobacco, which constitutes rather a singular item of tonnage for the Pennsylvania canal, which at once proves the superiority of canal transportation over any other for heavy articles. About one hundred hhds. of this article, destined for Georgetown, (D. C.) and Baltimore, have been received at this place by canal and wagons from the west, which from the marks on the casks appear to have been put up at and forwarded from Barnesville, Ohio, situated within a few miles of the National road. Take Wheeling as the place of deposit, and that part of the article destined for Georgetown, must pass over a distance of at least seven hundred miles, when by the turnpike roads

through Brownsville, Cumberland, &c. the distance does not exceed two hundred and sixty miles; and I have no doubt but the owners will find the cost of transportation by our route, much lower than it would have been by wagons on the most direct route it could have taken.”

It appears that many of the boats departed empty from Hollidaysburg; but they would in part, receive cargoes at Williamsburg, Waterstreet, Alexandria, Petersburg, Huntingdon, and other places of deposit along the route.

The time is fast approaching when the people of Cambria county will realize the benefits of the public improvements. Let them now prepare for it. This is not a grain growing county; but our timber is valuable and inexhaustible. It will soon form an extensive article of trade to the east. In quantity and quality of potatoes, we can compete with any part of the world, old Ireland itself not excepted. Let our farmers now prepare for a plentiful crop, of all kinds suitable for the table. When gathering them in the fall, let them select the large ones for sale. The cheapness of transportation will enable them to send them to the Philadelphia market. When once introduced there, their excellence will be discovered. They will command a high price, and yield a good profit.

There are many other advantages which our farmers will enjoy, which we will hereafter point out, and which their own good sense will discover. They have laboured for many years under much discouragement. Let them now cheer up. A better era and more prosperous times are rapidly approaching.

PENNSYLVANIA CANAL.

The business upon the Pennsylvania canal this spring has assumed the appearance of great activity and enterprise. By going on board the numerous packet and freight boats which navigate the canals from Philadelphia, the great eastern Emporium of Pennsylvania, to Hollidaysburg, the termination of the Pennsylvania canal east of the Allegheny mountains, boxes, barrels, and crates, are to be seen, labelled to almost every important city and town in the western states, from Pittsburg, the western Emporium of Pennsylvania, to the city of New Orleans. Immense quantities of merchandize daily pass through the canal to Hollidaysburg, which through the enterprise and activity of Mr. Leech, owner of the line of packet boats from Pittsburg to Philadelphia, are transported by wagons across the mountains to Blainville, and from thence, are sent to Pittsburg on board his packets on the western division of the Pennsylvania canal.

Recently, the writer of this article has witnessed with much pleasure, that Mr. Leech's line of packet boats east of the mountains, are well laden with the products of the western country. His notice was particularly attracted by the large quantity of tobacco in hogsheads which filled the boats, manufactured by Mr. I. James in the interior of Ohio, (Perry county,) and who is known to the writer, and who instead of sending it to Baltimore, as hitherto, finds it to his advantage to send it through the canals to the Philadelphia market.

The great and glorious advantages which the people are about to derive from the grand scheme of improvement in Pennsylvania, by means of her canals and rail-ways, are beginning to develop themselves, and to be felt. It is now confidently anticipated, that early in September, one track of the rail-road across the mountains from Hollidaysburg to Johnstown will be completed, which will form a thorough, speedy, and uninterrupted communication between Philadelphia and Pittsburg; and by the Ohio and its tributaries to all parts of the western country. Until the whole line be completed which will certainly be in active operation early in the next season, the great advantages promised by the

fathers of the system, cannot be expected to be realized.

P. S. Since the above was in type, I have been informed that 700 hogsheads of this tobacco which is now passing through the canal to Philadelphia, is to be transhipped to Georgetown, D. C., where it is contracted for. When it reaches its destination, it will have travelled upwards of 600 miles by water, although the distance by land is less than 300 miles. Does not this argue highly favorable to the utility and public advantage of the canals, when it is found to be cheaper and safer to carry the produce of the western states 600 miles by a circuitous canal and steamboat navigation, than less than half that distance by land.—*Lewistown Republican*.

DELAWARE CANAL.

Mr. Dusenberry, the collector at Easton, has published a statement of the number of boats which have cleared at his office, and the amount of tolls received: 221 boats have passed through, and the amount of money received is \$2,512 90 cents.—*Doylestown Dem.*

FIRE IN THE MOUNTAINS.

We are informed, that the woods on the mountains in Schuylkill, Northumberland, and several adjoining counties are on fire to a dangerous, and alarming extent. Several iron-masters have lost their corded wood, and we have heard that some dwelling houses have been destroyed. The practice of firing the woods annually, is still persisted in, by thoughtless and evil minded persons, who, are regardless of the injuries they may inflict upon their neighbors, while in the pursuit of trivial and unimportant advantages for themselves. It is not as generally known as it ought to be, that an act of Assembly, passed in 1824, persons wilfully setting fire to the woods, are subjected to a penalty of five hundred dollars, and imprisonment at hard labour for a term not exceeding one year.—*Reading Paper*.

CONFLAGRATION ON THE MOUNTAINS.

POTTSVILLE.

A grand and imposing spectacle, which language is inadequate properly to describe, was presented to our view on Thursday evening last, by the near approach of the fires, which for some weeks past have been ravaging and devastating with unparalleled fury, the surrounding districts of country. In the afternoon of the above mentioned day, the close proximity of the devouring elements was announced by dense volumes of smoke which were wafted to us by an easterly current, and completely enveloped and overshadowed our borough. The thick and murky vapor assailed our eyes and nostrils with much annoyance, and hung over our streets with dark, intense and almost impenetrable folds. The blood red disc of the sun descending in the west, and the empress of the night majestically rising in the east, with an equally lurid aspect, glared ominously from the firmament, through the impending mass. As the evening advanced, the Sharp mountain exhibited the scene to which we have alluded, the broad acclivity of which, ascending to a lofty eminence, facing in an easterly direction the lower part of the town, became enveloped in sheets of flame. Crowds of our inhabitants, both male and female, flocked from their houses to witness the sublime and brilliant spectacle. At first the mountain appeared covered with myriads of flaming torches—anon the conflagration spread—the flames were seen kindling, leaping and running in various directions—rapidly ascending the tall forest trees and encircling them with fiery wreaths—grappling and enclosing the giants in their glittering coils, &c. added to the grandeur of the splendid pageant.

The inhabitants of Port Carbon were called forth to protect their houses and rail-roads from impending destruction. In spite of all their efforts, about one hundred and fifty yards of the Mill Creek rail-road was consumed,

the whole of which, however, may be repaired in a few days.—*Miners' Journal*.

THE REGISTER.

PHILADELPHIA, MAY 18, 1833.

One of the two Swans presented to the city by Capt. Girdon, lately died at Fair Mount.

The drought of last month, appears to have extended very generally through the state; and the mountains have been on fire in every direction, causing a vast destruction of timber, fences, and in some instances houses and barns with their contents. The Greensburg Republican states that April passed without one refreshing shower, the crops however look promising, and the prospect of abundance of fruit is encouraging, if the trees can be protected from caterpillars, which have already stripped the peach and apple trees of their foliage. During the past week, we have been refreshed in this city and neighbourhood with frequent showers. Our city is remarkably healthy, the deaths last week having been only 60.

A committee appointed to investigate the circumstances attending the death of William Severn on the Germantown Rail-Road, some time since, have published a report referring it entirely to accident, which "no earthly power, person or persons could have prevented"—he was riding a "young and unbridle-wise horse which became frightened by the approach of the Engine, and backing upon the track, both rider and horse were almost instantaneously killed.

DIVIDENDS.

Chester County Bank,	\$16 50
Easton Bank,	5 per cent.
Harrisburg,	5
Northumberland,	5
Farmer's of Reading,	4
Eric,	3½
Miner's of Pottsville,	1½
Farmer's of Bucks,	\$4 per share.
Manayunk and Flat-rock turnpike,	2½ per cent.

Gen. Patterson has been elected Major General in the room of Gen. Cadwalader, resigned.

In giving place to documents of a more general nature during the session of the legislature, we have not kept pace with the proceedings of Councils, which at the present time are very important, as well as voluminous; we must therefore ask the indulgence of our readers, for the great space they will occupy in a few of our future numbers. The proceedings of the Girard Boards, and indeed all the transactions in relation to the Girard trusts, will be required to be referred to hereafter.

The General Assembly of the Presbyterian Church, met in this city on Thursday; a large number of members are in attendance.

HAZARD'S REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

VOL. XI.—NO. 21.

PHILADELPHIA, MAY 25, 1833.

NO. 282.

From the Philadelphia Gazette.

PROCEEDINGS OF COUNCILS.

Thursday evening, April 4, 1833.

SELECT COUNCIL.—The following communication from the executors of the late Stephen Girard was received and referred to a joint committee of three members of each Council, and Messrs. Ingersoll, Groves, Lippincott, Chandler, Haines and R. Toland, were appointed the committee.

To the Select and Common Councils of the city of Philadelphia.

The undersigned Executors of the last will and testament of the late Stephen Girard, respectfully represent:—

That they are desirous of bringing the business of their administration to a close as speedily as it can be done; that in their efforts to effect this object, they have found that a settlement with the Trustees of the Bank of Stephen Girard, may be greatly expedited, if an amicable mode can be adopted of settling the compensation, which the Trustees shall receive for the performance of their duties under the trust. Such a mode has been suggested and submitted to the Councils for their concurrence in the arrangement; but, although not disapproved by the Councils, it did not receive such an assent as to enable the Executors to carry it into effect.

The Executors deem it proper to bring this subject once more to the view of the Councils. The Trustees and the Executors have agreed to submit the question of the amount of the compensation of the Trustees to the decision of Horace Binney, John Sergeant and C. Chauncey, Esqrs. provided the residuary legatees shall agree to be bound by their decision. If the Councils, representing the residuary interest, approve of this submission and agree that the same shall be entered into by the Executors, and that the decision of those persons shall be final and conclusive, it is respectfully requested that they will pass such resolution as shall be suited to that object.

TIMOTHY PAXSON,
THOS. P. COPE,
JOSEPH ROBERTS,
W. J. DUANE,
JOHN A. BARCLAY.

Philadelphia, March 29, 1833.

Mr. Ingersoll requested to be excused from serving on the committee for erecting the Girard College, and Mr. Worrell was elected in his place.

Mr. Groves as Chairman of the committee made the annexed report and resolution which were adopted.

The committee appointed on the plans of the Girard College, report the following resolution:

Resolved, That the Mayor be and he is hereby authorized to draw his warrant on the Treasurer of the Girard estate, in favour of Thomas Downing, for the sum of thirty dollars.

Mr. J. P. Wetherill presented a petition for paving Schuylkill 8th street from Walnut to Pine street and one from Messrs. Patton and McIntyre, which were referred to the paving committee.

Mr. J. P. Wetherill called up for consideration the

preamble and resolutions of the Watering Committee, which were agreed to, and were passed. Yeas 8. Nays 2.

Whereas, forcible possession has been taken by the Schuylkill Navigation Company, of the toll house and locks at Fair Mount; and the city has been thereby deprived of the direction and control of the same, which it has exercised for upwards of eight years; and whereas danger exists that the supply of Water from the Schuylkill will be greatly diminished, and if the gates be neglected, that it may be entirely cut off by the measures above referred to; and whereas the proceedings of the Schuylkill Navigation Company have been carried on, in disregard of earnest and repeated remonstrances on the part of the city authorities:

Resolved, That the City Solicitor be instructed to institute such legal proceedings as may effectually redress the evils complained of, and that the Watering Committee be and they hereby are authorized to retain additional Counsel if they deem it expedient.

Resolved, That if it should appear that the Schuylkill Navigation Company, in executing the contract of June 14th, 1824, have exceeded the power vested in them by their Charter, the Watering Committee be and they hereby are authorized to apply to the Legislature for a confirmation of the grants and privileges thereby transferred, so far as the interests of the city of Philadelphia are concerned.

Mr. Groves as Chairman of the committee made the following report, which was ordered to be printed.

The committee to whom was referred the care and management of that portion of the lands of the late Stephen Girard, lying in Schuylkill County—Report,

That the Pottsville and Danville Rail Road, in which the Girard Estate has a large interest, is expected to be finished by the first of October next to Girardsville, a distance of about ten miles from Pottsville, and will afford the means by which coal, &c. may be transported with facility to the landings on the Schuylkill navigation.

The chief value in those lands is the anthracite coal, which abounds there of the very best quality. In order to render them available and suitable to be rented, considerable sums of money will be required previously to be expended in opening the coal veins, making drifts, and other necessary improvements.

Your committee have consulted eminent counsel on the subject of S. Girard's will, and are informed that it does not authorise the expenditure of funds arising from other parts of his estate, to the improvement of these lands, beyond the contracts made by him during his life time.

The President and Directors of the Pottsville and Danville Rail Road Company, have applied for, and are willing to undertake the mining of coal on those lands for the purpose of encouraging and promoting the trade on their rail road; provided a lease for a portion thereof, at a nominal rent or improving lease for a term of years was granted, to enable them to realize their expenditure. The committee offer the following:

Resolved, by the Select and Common Councils of the City of Philadelphia, That the Mayor of this city is hereby authorised to lease to the President and Managers of the Pottsville and Danville Rail Road Company, for the purpose of mining coal, such portions of the

lands in Schuylkill County belonging to the city, called the Bear Ridge; running along the Mahonoy Creek, and beginning at the line near the Mahonoy Inclined Plane, number five, and running to within one thousand feet of plain number six; thence crossing Bear Ridge northwardly to the Shanandoa Creek, and following the same towards its source to the line, thence re-crossing said Bear Ridge to the Mahonoy Creek to the place of beginning; for the term of five years, to commence on the first of October next, at a yearly rent of one dollar—and in case said Company shall at the expiration of said lease not have realized an amount from the sale of coal equal to the value of their permanent improvements, in such case, it is recommended to future Councils that a renewal of said lease be granted to enable them to reimburse such expenditures.

Mr. J. P. Wetherill reported the annexed ordinance which was ordered to be printed.

An Ordinance for the regulation and settlement of accounts, and mode in which all payments for water rents, due by the districts receiving water from Fair Mount Water Works, shall in future be made.

Sec. 1. Be it further ordained and enacted by the Select and Common Councils of the city of Philadelphia, That from and after the passage of this ordinance, it shall be the duty of the Register of the Watering Committee, on the first Wednesday of April, of each and every year, to draw out a duplicate account of all water rents due and payable to the city, on the first of June in each and every year, by the districts receiving at present, and those who may hereafter contract to receive a supply of Schuylkill water.

Sec. 2. Be it ordained, &c. That after said accounts shall have been examined and approved by the Watering Committee, the Register of said Committee is hereby directed to furnish the City Treasurer with a statement of the aggregate amounts of the same, and also to the President of the Board of Commissioners of each of the districts receiving the water, with a copy in like manner, setting forth the amount payable by the respective districts on the first of June in each and every year, and the said Commissioners are hereby authorized and requested, from and after the passage of this ordinance, to pay the amount of water rents as set forth in the bills of water rents, or copy as aforesaid, to the City Treasurer, who is hereby authorised to receive said rents, and to give a receipt for the same, and the said Treasurer is hereby directed to pass the same to the credit of Fair Mount Works as formerly.

Sec. 3. Be it ordained, &c. That the fractional part of the water rents, from the year not embraced in the annual duplicate accounts, be received and paid by the Register of the Watering Committee into the Treasury, as heretofore.

Mr. Lippincott offered the following resolutions, which were ordered to be printed.

Resolved, by the Select and Common Councils of the City of Philadelphia, That the amount of monies received by the City Treasurer from Fair Mount Water Works, (after passing to the credit of the Sinking Fund the amount heretofore appropriated,) be and the same is hereby directed to be passed to the credit of the Tax Fund.

And that the Watering Committee be hereafter required to furnish Councils annually, (when other estimates of city expenses are furnished) with an estimate of the probable amount that may be deemed requisite for the support, maintenance and extension of the Water Works for the current year, to enable Councils to make an appropriation for the same—which appropriation the City Treasurer is hereby directed to pass to the credit of Appropriation No. 16, for the support of the Water Works—as other appropriations are made.

And that the Treasurer be and is hereby directed to open an account Appropriation No. 22, for the Public Burial Ground, to which shall be credited the amount appropriated for that item of expense—and that the

amount received for the use of said ground be credited to the Tax Fund.

COMMON COUNCIL.—Mr. Byerly presented the following communication from the City Solicitor, with a schedule of the property, which were referred to the commissioners of the Girard Estate, with power to take such order as they may think right and proper.

Gentlemen—In the case of the heirs of Stephen Girard, against the City of Philadelphia, the Supreme Court have decided that the property contained in the accompanying schedule passes to the heirs under the will, and directed judgment to be entered accordingly. The counsel for the heirs have requested that the city will give the necessary instructions to the tenants that their title may be recognized, and that the balance of rents received may be paid over—and I ask that Councils authorize the commissioners of the Girard Estates to deliver up the title papers and pay over the balance of rents received.

Very respectfully,

EDWARD OLMSTEAD,
City Solicitor.

4th April, 1833.

Schedule of the Real Estate of S. Girard, purchased subsequent to the 20th June, 1831.

1831 Oct. 5.	Two houses and lots on Walnut street between 2d & Dock streets, Nos. 63 & 65, and one house and lot on Dock street, No. 61.	\$10,666 67
Oct. 27.	A lot of land in Passyunk township, containing 60 acres and 87 ps.	6,659 81
	A ground rent of 25-66 per annum, payable by Philip Smith, out of a lot of ground in Spruce street between 3d and 4th sts.	569 74
	A house and lot on north side of Coates street west of 6th street,	3,000 00
Nov. 2.	A lot of ground on N. E. corner of Coates and John streets,	1,800 00
4.	A house and lot in south 3d streets, No. 48,	12,000 00
Dec. 1.	A messuage and lot of ground in Passyunk, having a front on Schuylkill,	3,000 00
Dec. 21.	Stores, wharf and dock in north Water street between Market and Arch streets, taken subject to a mortgage of \$21,000. Residue paid	24,222 33
Dec. 26.	A lot of ground in Schuylkill county, near Mount Carbon, on the River Schuylkill,	4,500 00
		<hr/> \$66,418 53

Mr. Elliott presented two petitions for paving, which were referred to the Paving committee.

The annexed communication was received and referred to the Paving committee.

We the undersigned, owners of property and inhabitants on the east side of Twelfth and west side of Madison streets, between Sassafras and Vine streets in the city of Philadelphia—bounding on a certain 20 feet wide street laid out by the Administrators of the estate of the late Christian Lybrand, deceased, and confirmed by the Court,—respectfully petition the Select and Common Councils of the city of Philadelphia, that they

will have such encumbrance as may be found on the said 20 feet wide street forthwith removed, in order to give opportunity to the watering and paving committee to place the water pipes along said street and pave it.

The encumbrance alluded to is an old stable which was on the street when it was laid out and confirmed, and which is not only an obstruction to the paving of the street, but a nuisance in the neighborhood.

Philadelphia, 3d mo. 1833.

Mr. Chandler presented the following communication, which was referred to the committee on Gas.

To the Honorable the Select and Common Council of the city of Philadelphia.

The memorial of William Beach of said city of Philadelphia, and David B. Lee, of the county of Philadelphia, respectfully represents—

That your memorialists have devised a plan for lighting cities, &c. on which they sincerely believe that the said city of Philadelphia might be much better lighted than it now is, for less than one half the cost of lighting it on the present plan, or on the plan contemplated, with gas.

Your memorialists, therefore, beg leave to present for your consideration, a drawing explanatory of their plan—and respectfully solicit that you would cause the subject to be investigated in such manner as the wisdom of the Councils may direct.

Your memorialists beg leave further to state, that the drawing herewith submitted is intended to represent a Tower to be constructed for burning tar and Anthracite coal, which they believe will be much cheaper than oil or gas. As tar when burnt over a strong heat, will give a greater light in proportion to its cost, than any other substance which can be conveniently placed in a situation where it would give light to the city—but if oil or gas should be preferred, a tower of similar construction to that represented in the drawing might be so arranged as to use oil or gas, instead of tar and coal, and still light the city more effectually, and at less cost than on the plan now in use. Your memorialists believe, that, with tar and coal, burnt at a proper elevation, aided by suitable reflectors, a light might be obtained at less than one half the present cost of lighting the city, which would equal the light occasioned several years since by the burning of the Masonic Hall, which (your memorialists are informed) shone through the windows of Col. Powell's country seat, which is situated on the west side of the river Schuylkill, to that degree that a person read a newspaper in the darkest part of the room: and (as your memorialists have also been informed) made it sufficiently light at the Rising Sun, and at Frankford, to enable people to read in the open streets.

Your memorialists having obtained the favorable opinion of several scientific men on the subject, and believing that it is your wish to adopt the best mode of lighting the city, respectfully submit the aforesaid drawing for your consideration.

WILLIAM BEACH,
DAVID LEE.*

SELECT COUNCIL.—A communication from the City Clerk with his accounts was received.

The following communication from the Recording Surveyor was received, and referred to the committee on the Drawbridge Lot.

To the Select and Common Councils.

Gentlemen.—The City Commissioners and Recording Surveyor in obedience to a resolution of Councils, dated March 6th, 1833, herewith respectfully furnish an estimate of the expense of improving the city property at the Drawbridge, to conform to a proposed avenue along the Delaware front.

* See editorial department.

Having conferred with Mr. W. C. Donaldson the wharf builder, and in conjunction with him decided on the plan they consider best, they offer it for your consideration and decision.

If said plan is adopted by Councils, a culvert of circular form will be required in the South Dock from the east side of Water street, to the east front of the avenue on the Delaware, 200 feet long by 10 feet in diameter in the clear, to be constructed of brick.

Estimated expense of which including materials and building	\$1,000 00
Wood work of cradle to construct the same on, including cost of building and materials	4,335 81
Filling up South Dock with earth, 5,926 cubic yards of earth, at ten cents per yard	592 00
	<hr/> \$5,927 81

North Dock—Wood work, &c.	\$570 90
3260 cubic yards earth	326 00
	<hr/> 836 90
	<hr/> \$6,763 71

In this estimate they have not contemplated at present any alteration of that part of the old culvert west of the east side of Water street, which is 112 feet in length by 22 feet wide at the bottom, the arch resting upon perpendicular walls.

By order of the Board,

JOHN WHITE,
City Commissioner.
SAMUEL HAINS,
City Surveyor.

April 11th, 1833.

Mr. Lippincott presented the annexed report of the Treasurer of the Girard Trusts, which was ordered to be printed in two of the daily newspapers.

To the President and members of the Common Council.

Treasurer's Office of the Girard Trust, }
March 30th, 1833. *}*

Gentlemen,—I herewith present to Councils an account of the receipts and payments of the Girard Trust Fund, for the first quarter of the year 1833, ending this day, by which you will find that the whole amount of cash received in this quarter is \$26,753 16-100, and the amount of payments in the same time was \$11,776 82-100, leaving a balance in the Treasury of \$34,407 73-100.

The receipts are from the following sources:—

For Rents on Real Estate	\$17,370 50
Dividend for six months on the Schuylkill Navigation Company's Stock	5,500 00
Three months Interest on the Schuylkill Navigation Company's Loan	3,655 44
Six months Interest on the Schuylkill Navigation Company's Loan for the fund to purchase fuel for poor white housekeepers and room-keepers in the city of Philadelphia	227 22
	<hr/> \$26,753 16

The payments are chargeable to—

Real Estate for repairs and materials,	2,426 12
Girard College, premium for plans, &c.	1,254 50
Incidental expenses including salaries,	2,224 98
Annuities six months in advance,	2,330 00
Water rents for 1833,	375 00
George Pepper interest due on his mortgage in the disputed part of the Estate,	1,575 00
District of Spring Garden and the Northern Liberties for putting down iron pipes and paving	1,453 72

The Weccacoe and Moyamensing Meadow
Company for Bank assessment,

117 50

\$11,776 82

You will also find annexed to the account a schedule of the personal property that has been passed to me for the City Corporation by the Executors in the present quarter, the par value of which is \$2,088,177 00—and the valuation by the Executors of the same, \$2,403,235 67, and there is a large amount of personal property yet to be received. I have also to inform Councils, that there is due for rents outstanding to the first of January 1833, \$1808 05; of which \$526 64-100 belongs to the disputed part of the Estate. The rents due for this quarter payable on the first April, instant, is \$13,454 40, including \$801 40-100 due to the disputed part of the Estate.

All of which is respectfully submitted,

By your very obedient servant,

BRITAIN COOPER,

Treasurer of the Girard Trust.

Mr. Lippincott as chairman of the committee of Ways and Means, made a report and ordinance which were ordered to be printed.—See page, 280.

Mr. Lippincott as Chairman of the committee to whom was referred the communication of the Executors of Stephen Girard, made the following report.

The committee to whom was referred the proposition of the executors of Stephen Girard, for referring the subject of compensation of the Trustees for the management and final settlement of his banking establishment, to H. Binney, J. Sergeant, and C. Chauncey, Esqs. Report:

They have had the subject under their investigation and serious consideration.

There are large sums of money, (upwards of a million of dollars,) in the hands of the Trustees belonging to the city, which it is very important should be handed over to the Treasurer of the Girard estate, with as little delay as possible.

The existing law does not fix any scale for the compensation of Trustees, and if resort shall be had to a legal tribunal for an adjustment of the difficulties, great delay may be the consequence.

The gentlemen proposed as arbitrators, have our fullest confidence, they are well known, and we believe their decision will be acquiesced in by the citizens at large.

Your committee after deliberately considering the case as fully as they were capable of, are of opinion the reference proposed would be the best and most expeditious means of settling the difficulties which it presents, and, therefore, offer the following: All which is respectfully submitted to the consideration of Councils.

Resolved, By the Select and Common Councils of the city of Philadelphia; That the proposition of submitting the subject of compensation to the Trustees of the Banking establishment of the late S. Girard, to H. Binney, John Sergeant and Charles Chauncey, Esq. he and the same is hereby acceded to, provided all parties are equally bound thereby, and that the decision of the referees be unanimous and so made as to be final and conclusive.

1. What are the objects which the Trustees and Executors have in view, in taking the precise course of a reference instead of pursuing the ordinary mode of settling accounts by persons in a similar situation?

2. Is it to be understood that the course suggested is insisted on by the Trustees of the Bank, or that it is merely offered for the consideration with a willingness on their parts to adopt the regular and usual one if the city should not conform to their present views?

3. Will the Trustees pay over the amount they have in hand at once if the proposed reference be agreed to? or is it intended to retain the whole fund until the

whole amount of compensation is definitively ascertained?

4. After the deductions which will be made by the Executors for building and every other object, what sum will probably remain to be handed over to the city? and at what time may the receipt of it be expected?

5. In what mode do the Trustees and Executors propose to render the contemplated reference final? Should an agreement be made and either party refuse to submit, a suit may become necessary to enforce it, even if it contain a provision that it shall be final. In the event of a suit there may be some embarrassment, arising from the fact that the Plaintiffs and Defendants would be in part the same individuals.

6. Is there any doubt entertained either by the Executors or Trustees, that the question of compensation may be settled by filing an account in the Prothonotary's office and appointing Auditors under the provisions of the Act of Assembly?

The undersigned executors of the will of Stephen Girard, respectfully reply to the enquiries of the committee of the Select and Common Councils, communicated to the executors by the chairman, on the 9th inst. as follows:

1. The object of the Executors, and, as they believe, of the Trustees, in proposing a reference of the question of the compensation of the latter, was to obtain a speedy, just and satisfactory decision. The executors have favored the adoption of this course, because they knew that the ordinary mode of settlement might be attended with great delay, and because they believe, that such a reference as was proposed, would be calculated to obtain as impartial, upright and satisfactory a decision, as could be obtained in any mode whatever. The executors had no other object in view, by the proposed reference.

2. The mode suggested is not insisted on by the Trustees, but was proposed originally by the Trustees and assented to by the executors, with no other view, it is believed by either, than those stated above.

3. The executors are not able to say, whether the Trustees will pay over the amount they have in hand, if the proposed reference is agreed to, but they have no reason to doubt, that the Trustees will do so.

4. It is impossible for the Executors to state, with accuracy, what sum will remain to be paid over, after the necessary expenditures for the buildings and other objects are made, and they are unwilling to make any conjectural statement, which might lead to an erroneous estimate. The accounts of the executors are at all times open to the examination of the Councils, and the executors will cheerfully impart any information in their power respecting the state of the fund.

5. The mode contemplated by the Trustees and Executors, to render the reference final, is by an agreement that it shall be so; which it is supposed would have the force of an ordinary agreement to that effect; and for the fulfilment of which, by either party, it has not been believed, that a resort to law would be necessary.

6. The Executors have no knowledge, that any doubt is entertained, that the accounts of the Trustees may be settled agreeably to the provisions of the act of assembly; but they believe that that mode may be attended with great delay and expense; and they have no belief that it would procure a more just or satisfactory result than the mode which has been suggested for the agreement of Councils.

**TIMOTHY PAXSON,
THOS. P. COPE,
JOSEPH ROBERTS,
W. J. DUANE,
JOHN A. BARCLAY.**

April 10th, 1833.

Mr. Groves made the annexed report from the minority of the committee.

The subscribers being a minority of the committee to

whom was referred the communication from the executors of Stephen Girard, beg leave to offer the following remarks, in explanation of their refusal to unite in the report of the majority.

The executors of Stephen Girard, having some weeks since made a communication of a character similar to the one now before Councils, they were at that time informed that the representatives of the city could not in any respect interfere in the proposed arrangement. It is believed that nothing whatever has occurred since the period referred to, to give either expediency or propriety to a course which was then deemed either inexpedient or improper, and which was therefore declined. The subscribers cannot but regard it as in some measure incumbent upon these bodies to preserve a consistency of measures, where there is not obvious and urgent reason for departing from it. No such reason is perceived in the present instance. The Corporation of Philadelphia is the residuary legatee of Stephen Girard. But the concerns of his estate are placed under the care, and are to be conducted upon the responsibility of his Executors. They are directed to see that the trust created for the purpose of closing his Banking establishment is faithfully executed, and to aid the execution thereof, and to receive the balance which is to go into the residue of his estate. That they will do all this with fidelity is not doubted; and to assume either control or joint agency, would be in the city to depart from the position in which it is placed by the Testator, and voluntarily to partake of duties and responsibilities, which are certainly not his own. It is proper here to remark that agreeably to the will, none of the funds of the Bank ought to remain in the hands of the Trustees. They are expressly directed, as the capital shall be received and shall not be wanted for the discharge of debts due at the Bank, to invest it in good securities in the names of the executors, and to hand over the same to them to be disposed of according to the will. If a large sum be still in the hands of the Trustees, not wanted for debts of the Bank, the responsibility of the departure from the direction of the Testator does *not yet* rest with the city authorities. Whether the amount will be paid over on the reference being agreed to, was made the subject of inquiry in the third of the series of questions proposed by the committee, and it has not received a distinct reply.

The option which is supposed to be offered to the Councils (if they should determine to interfere) is between a reference already designated between the parties—and a settlement by the regular and ordinary course provided by law. In favor of the reference, it is urged that it may be more speedy in its result than the other tribunal contemplated. This appears to the subscribers to be the only motive for desiring it; for, as to the individuals who are to compose it, they *might* (and if the parties united in requesting it, very probably *would*) be appointed to execute the same duty under the name of *auditors*, if the proceeding should be conducted according to law. The greater rapidity however, of the one course than the other, is not easily to be demonstrated. The executors in their fifth answer, admit they have in view no particular mode of rendering the arbitration final. And it is well known that if either party should be dissatisfied and refuse compliance with the award, access must be sought to the Courts of Common law to enforce it, with all the liabilities to delay which such an appeal imposes. On the other hand, the provisions of the act of Assembly for settling Trustees accounts, are especially calculated to do speedy as well as substantial justice; and the means of enforcement are ample, and easily attained. If the Councils had a clear right to choose, the subscribers firmly believe that the reasons against the course suggested by the Executors are sufficient and ought to prevail. But that is not the single question, easily as it might be of resolution if it were. Another and a still graver one presents itself. Have these Councils any right to depart

from a path clearly pointed out by law? Expediency often presents strong temptations to error, but it furnishes no justification for the act. It has been thought wise by the Legislature to provide a mode of settling the accounts of Trustees. Does it become us to assert a wisdom higher than that of the laws, and accordingly to disregard their salutary provisions? It is the solemn conviction of the subscribers that the departure from a plain obvious and easy remedy, which would be the consequence of a compliance with the requisition of the executors, would be wrong in principle, is uncalled for by the occasion, and might involve the city in transactions from which the soundest policy dictates that it should keep aloof.

J. R. INGERSOLL,
DANIEL GROVES.

Mr. Groves called up for consideration the following resolution attached to the report of the committee relating to the Girard lands, which was adopted.

Resolved, by the Select and Common Councils of the city of Philadelphia, that the Mayor of the city is hereby authorized to lease to the President and Managers of the Pottsville and Danville Railroad Company, for the purpose of mining coal, such portion of the lands in Schuylkill county, belonging to the city, called the Bear Ridge; running along the Mahonoy creek, and beginning at the line near the Mahonoy inclined plane, number five, and running to within one thousand feet of plane number six; thence crossing Bear Ridge northwardly to the Shenandoah creek, and following the same towards its source to the line, thence recrossing said Bear Ridge to the Mahonoy creek to the place of the beginning; for the term of five years, to commence on the 1st of October next, at a yearly rent of one dollar—and in case said company shall at the expiration of said lease, not have realized an amount from the sale of coal equal to the value of their permanent improvements, in such case, it is recommended to future Councils, that a renewal of said lease be granted, to enable them to re-imburse such expenditures.

Mr. J. P. Wetherill, called up for consideration the ordinance reported by the Watering committee, which was passed by the Select Council, but was not acted on in the Common Council.

Mr. J. P. Wetherill offered the following resolution which was adopted by the Select Council.

Resolved, That the City Commissioners be, and they are hereby authorized to re-pave those parts of the pavement which have, and may be, in future taken up for the introduction of private pipes, for the conveyance of water from Fair Mount Works.

COMMON COUNCIL.—Mr. Morris presented a communication from T. B. Lancaster & Son, which was referred to the committee on the Drawbridge Lot.

Mr. Gilder presented a petition for paving Quince street, and Schuylkill Avenue, which was referred to the Paving committee.

Mr. Maitland presented a petition for repaving Fourth street, from Pine to Cedar street, which was referred to the Paving committee, with power to act.

Mr. Lapsley as chairman of the committee on markets made the three following reports and resolutions; and the resolutions relative to Mr. Garrigues, and the erection of a market house on Lombard street, were agreed to, and the one relative to a market house in Market street was postponed.

The committee to whom was referred the memorial of sundry citizens for the erection of a market house on the public lot on the south side of Lombard street between Tenth and Eleven streets, report,

That they have given the subject a candid consideration, and beg leave to state that they consider the site proposed much too valuable to be appropriated to that purpose. They likewise understand that authority has been obtained from the legislature, for the erection of a market on Eleventh street below South, which, in the

opinion of your committee, would make it unnecessary for the city to locate one in the same vicinity. They have also been informed that the Wharton market in south Second street, is but partially occupied, and has produced but very little if any revenue since its erection, although situated in a neighborhood where the population is equally as dense.

Your committee are of the opinion that it would be unnecessary for the present, to build a market in that section of the city, and therefore offer the following resolution.

Resolved, That it is inexpedient for the present, to grant the prayer of the petitioners.

The committee to whom was referred the memorial for the erection of a market house, in Market street, between Twelfth and Oak street—report,

That they are fully convinced of the necessity of a market in the western part of the city, not only for the accommodation of the inhabitants west of Broad street, but also for those in the north-western and south-western sections of the city, and would therefore recommend the establishment of a market house in Market street, between Twelfth and Thirteenth streets, and that the same be built on cast iron pillars instead of the cumbersome brick piers heretofore used.

As the city are now under the necessity of renting a house at the expense of \$5.00 per annum, for the accommodation of the western watch and a depository for oil, your committee would suggest the propriety of erecting a suitable building for those purposes at the western end of the aforesaid Market, the cellar of which might be used as a depository for the oil, while the ground floor could be appropriated as stands for market people, and the second story would contain sufficient accommodation for the western watch. A small and ornamental cupola with a clock might be added for the convenience of the inhabitants in that vicinity. Your committee would therefore offer the following resolution:

Resolved, That the Market committee be requested to report an ordinance for the erection of the aforesaid building and market, and that they be authorized to offer \$ for a plan for the same, to be approved by Councils.

All which is submitted.

The committee to whom was referred the letter of James B. Garrigues relative to his metallic raised letters and figures, report:

That they have seen and examined the specimens and believe them to be not only a useful invention, and highly ornamental, and would therefore recommend them to the notice of the City Commissioners.

Mr. Yarnall, offered the annexed resolution, which was agreed to, and Messrs. Yarnall, Maitland, Worrell, and McCreedy, were appointed the committee.

Resolved, That a committee of two members from each Council be appointed to purchase the wood, to be provided by Councils for the "Necessitous Poor."

Mr. Merrick offered the following resolutions, which were passed by the Common Council, but were laid on the table in the Select Council.

Whereas, it is desirable to ascertain as nearly as may be, the number of buildings annually erected in the city and liberties.

Therefore, Resolved, That the City Commissioners, cause a register to be kept of all the permits granted for the placing of building materials in the streets, specifying the number of dwellings or stores, or public buildings about to be erected within the limits contemplated in each permit.

2d. Resolved further that at the first meeting of Councils in December of each year, the commissioners shall make a regular report exhibiting the number of dwellings, stores and public buildings, that shall have been erected within the season, as well as the streets on which the erections have been made.

3d. Resolved further, that a copy of the preceding resolutions be transmitted to the commissioners of each of the districts, requesting them to adopt measures for effecting the same object, in their respective bounds.

The following communication from the City Treasurer was received:

CITY TREASURER'S OFFICE, }
April 11, 1833. }

To the Presidents and Members of the Select and Common Councils.

Gentlemen—I submit to you my accounts for the first quarter of the year ending on the 30th ult.

And while addressing you, I beg to call your attention to the following circumstances:

On the 30th day of March, 1824, Benjamin Reeves rented from the corporation, the north Dock on High street on the Delaware, under a lease for five years, commencing on the 1st of April 1824, subject to the yearly rent of 500 dollars, and the rent accruing thereon, regularly charged to him up to the 15th day of February, 1831, on which day a lease of the premises was granted to Isaac Reeves and Isaiah Toy, for two years at a rent of 1200 dollars per annum.

On the books of the City Treasurer, Benjamin Reeves stands indebted to the corporation in the sum of \$560 84-100 being for 13 months and 14 days rent.

It appears that on the 26th of January, 1832, a resolution was adopted by Councils, of which the following is a copy.

"Resolved, by the Select and Common Councils, That in consequence of the inconvenience sustained by Reeves and Toy in the year 1830, by the repairs then made, they be exonerated from the payment of any rent during that time."

Of the existence of such a resolution I was not aware until within the last week, and as Reeves and Toy were not known to the City Treasurer as the tenants of the corporation until the 15th of February 1831, a period subsequent to that embraced in the resolution, besides the whole of the rent chargeable to Reeves and Toy, up to the 15th February last having been paid, I would respectfully suggest whether the allowance of rent should not be made to Benjamin Reeves instead of Reeves and Toy, and also the amount specifically stated, or the Treasurer furnished with such data as may enable him to fix the same.

With great respect, your ob't serv't,
CORNELIUS STEVENSON, City Treasurer.

Mr. Maitland presented the annexed petition which was referred to the committee on Markets.

To the Honorable, the Select and Common Councils of City of Philadelphia.

Gentlemen,—It is with no small degree of regret that your petitioners find themselves constrained by circumstances, to call upon your honorable body for redress and relief, in a case, which we conceive has been, long since, justly due us—a measure which has not only recently agitated memorializing, but one, of long standing, and to which we have not unfrequently directed your attention: you cannot be unapprised of our frequent petitioning not only upon the present, but upon other subjects, and it does appear that our memorials and applications have been as fruitless and unavailing, as unproductive of any benefit, though a general one sought, as if we had been petitioning the "Autocrat of the North." The object of present application is to obtain a repeal of the law requiring the Stalls or Rails daily to be taken down—a law which your petitioners conceive to be oppressive—one not calculated to produce the desired object, if object it had,—a law productive of more evil than benefit, not only to the fraternity of Victuallers, but to the property itself, to wit, the Shambles. In the first place taking down the stalls, materially injures and impairs the hooks, rails, &c. subjecting them to the nightly visitation of every filthy

animal—and then the succeeding day, the meat is to be hung upon the hooks, over which they have thus travelled, and exposed to the citizens for sale—these are undisputed, incontrovertible facts, which call loudly for a remedy, for such redress as circumstances dictate. Is this calculated to support and sustain the character of the Philadelphia markets for neatness and cleanliness,—a saying that has become proverbial throughout the world; not only as an adage, but as existing and ascertained facts. Another evil it is likely to produce is, uncleanness—as well as a direct tendency to the serious detriment of the Butcher, not only as regards the injury the stall receives—but likely to be personally afflicted and injured by the hooks in taking down the rails, circumstances of frequent occurrence. In establishing the character of the Philadelphia markets, who are most conspicuous, most interested and concerned? Is it the mere fact of having a market—viewed in the abstract—that it has received its character? No. For no place in the world has more convenient ones! Then from what source has the market been established as it is? why the Victuallers for their cleanliness, the neatness of manner in serving their meats—the proficiency of the fraternity in their profession—and as a cardinal point, paramount to all others, the respectability of many members of the fraternity—calculated to reflect credit upon them either as members of the vocation, or as members of society in general. With all these qualifications unexaggerated, though somewhat egotistical, the Victuallers of Philadelphia have had less deference manifested for their rights and privileges by those in authority, than in any other sister city in the Union. The law which we complain of could not have had in its origin, any other view or prospect save an exclusive, personal, selfish, or arbitrary one. We conceive we have yet a reserved right, which we shall ever exercise when circumstances or exigencies require it. It has been said as an argument in favor of the present law, that the stalls are required to be taken down in order to facilitate the circulation of the air, ventilate the markets, &c., also that the persons residing in the vicinity of the markets desire it as an advantage to their business. In answer to some of the above, we would say, are not the persons in the other portion of High street as healthy, and possessing as much of this world's blessings? Do the merchants in the eastern section of High street, sustain an injury in consequence of the stalls there remaining permanent? Do they enjoy less or fewer advantages? Is their business less prosperous? and rendered more limited and confined? To all which, the simple reply must be in the negative—the natural and inevitable deduction to be drawn is, why should such a distinction be made in the laws, when made to bear upon the same object, and promotive of the same ends! Is it not the spirit of all laws that they should be uniform and impartial, operating alike upon all members of the community? supporting and sustaining alike the claims of all society! Agreeably to this law, those who reside in the eastern part of High street are benefitted, and those in the western proportionally injured—and thus it applies to our fraternity, one portion of the society benefitted, and the other materially injured—if the one be right, the other must necessarily be wrong; and so, vice versa. And thus your honorable body must at once see and distinctly, that there is a wrong existing somewhere, and we contend it is in requiring us to take down our stalls daily. During the administration of the previous Council, and the executors of the laws regulating the markets, we were permitted to leave the stalls up every day, save Wednesdays and Saturdays, which arrangement met our approbation; but now a new order of things is instituted; the stalls are absolutely required to be taken down, or else incur a penalty consequent upon such neglect; and how frequently is it, that we are necessarily required to leave our stalls in haste, thereby subjecting ourselves to the penalty of this onerous law. We presume it almost unnecessary to say

that no market in Philadelphia, nor, so far as we can learn, in the world, is under the same regulations as these are, of which, we so justly complain.
And your petitioners pray that the object of our petition may, through your honorable body, be obtained.

AUDITOR GENERAL'S REPORT ON THE FI-
NANCES OF THE COMMONWEALTH FOR
1832.

APPENDIX.

BANK AND OTHER STOCK, THE PROPERTY OF THE COM-
MONWEALTH, OCTOBER, 1833.

Bank Stock.

2,500 shares in the Bank of Pennsylvania, subscribed by the state on its incorporation, at \$400 per share,	1,000,000 00
1,250 shares subscribed in pursuance of an act passed in February, 1810, extending the charter,	500,000 00
	<hr/> \$1,500,000 00
5,233 shares in the Philadelphia Bank, at \$100 per share,	523,300 00
1,708 shares in the Farmers' and Mechanics' Bank, at \$50 per share,	85,400 00
	<hr/> \$2,108,700 00

Turnpike Stock.

Harrisburg, Carlisle and Chambersburg	106,202 53
Chambersburg and Bedford	216,056 72
Bedford and Stoystown	107,692 84
Stoystown and Greensburg	128,217 35
Greensburg and Pittsburg	89,000 00
Huntingdon, Cambria and Indiana	171,850 00
Erie and Waterford	5,000 00
Perkiomen and Reading	53,000 00
Gap and Newport	20,000 00
Waynesburg, Greencastle and Mercersburg	11,379 96
Morgantown, Churchtown and Blue Ball	9,000 00
Little Conestoga	10,000 00
Berks and Dauphin	29,000 00
Lancaster and Middletown	10,000 00
Easton and Wilkesbarre	12,500 00
Susquehanna and Lehigh	10,000 00
Milford and Owego	31,000 00
Downingtown, Ephrata and Harrisburg	60,000 00
Centre and Kishacoquillas	20,000 00
Centre	80,000 00
Susquehanna and York	5,000 00
York and Gettysburg	40,000 00
New Holland	10,000 00
Springhouse, Northampton and Bethlehem	10,000 00
Cayuga and Susquehanna	6,000 00
Susquehanna and Waterford	140,000 00
Susquehanna and Tioga	30,400 00
Bridgewater and Wilkesbarre	25,000 00
Pittsburg and New Alexandria	48,360 00
New Alexandria and Conemaugh	16,100 00
Belmont and Easton	17,500 00
Phillipsburg and Susquehanna	17,500 00
Pittsburg and Butler	19,666 67
Butler and Mercer	19,666 67
Mercer and Meadville	19,666 67

Anderson's ferry, Waterford and New Haven	10,000 00
Pittsburg and Steubenville	12,000 00
Ridge Road	25,000 00
Bethany and Dingman's Choice	8,000 00
Robbstown and Mount Pleasant	15,000 00
Mount Pleasant and Somerset	33,036 50
Somerset and Bedford	34,606 84
Hanover and Carlisle	10,000 00
Millerstown and Lewistown	35,865 62
Bellefonte and Phillipsburg	20,000 00
Philadelphia, Brandywine and New London	2,500 00
Belmont and Oghuega	5,000 00
Harrisburg and Millerstown	40,000 00
Philadelphia and Great Bend	12,000 00
Lewistown and Huntingdon	46,534 38
Armstrong and Indiana	9,000 00
Clifford and Wilkesbarre	4,832 84
Indiana and Ebensburg	12,000 00
Washington and Williamsport	16,357 29
Washington and Pittsburg	22,565 74
Lycoming and Potter	15,217 33
Middletown and Harrisburg	14,000 00
Bellefonte, Aaronsburg and Youngmanstown	29,000 00
Butler and Kittaning	5,000 00
Milesburg and Smethport	10,331 85
Dererstown and Yodngmanstown	5,092 50
Mount Pleasant and Pittsburg	2,400 00
	<u>2,060,100 30</u>

Bridges.

Columbia	90,000 00
Harrisburg	90,000 00
Northumberland	50,000 00
Monongahela	45,000 00
Allegheny	40,000 00
Wilkesbarre	28,000 00
Lewisburg	20,000 00
Big Beaver	15,000 00
Danville	10,000 00
Nescopeak	8,000 00
French creek bridge at Franklin	7,000 00
Norristown	6,000 00
Conemaugh	5,000 00
Schuylkill bridge at Pottstown	3,000 00
Catawissa	2,500 00
Milton	2,300 00
	<u>421,800 00</u>

Canals.

Union Canal	50,000 00
Schuylkill navigation company	50,000 00
Five hundred shares in the Chesapeake and Delaware canal, subscribed by the Philadelphia Bank, and to be transferred to the state at the expiration of fifteen years from the date of subscription, per act of 28th March, 1823	100,000 00
	<u>200,000 00</u>

Recapitulation.

Bank Stock	2,108,700 00
Turnpike Stock	2,060,100 30
Bridge Stock	421,800 00
Canal Stock	200,000 00
	<u>4,790,600 30</u>

Appropriations and balances of appropriations, &c. unpaid 1st November, 1832.

Turnpikes.

Springhouse, Northampton, and Bethlehem	15,000 00
Lycoming and Potter	4,782 67
Clifford and Wilkesbarre	1,667 16
York and Gettysburg	6 09
Downingtown, Ephrata and Harrisburg	69 63
Waynesburg, Greencastle and Mercersburg	3,620 04
Huntingdon, Cambria and Indiana	25 95
Philadelphia, Brandywine and New London	12,500 00
Washington and Pittsburg	199 01
Washington and Williamsport	98 37
Chambersburg and Bedford	118 22
New Alexandria and Conemaugh	75 93
Harrisburg and Millerstown	300 50
Little Conestoga	22 04
Dererstown and Northumberland	4,607 50
Milesburg and Smethport	9,668 15
Gettysburg and Hagerstown	20,000 00
York Haven and Harrisburg Bridge	18,000 00
Mount Pleasant and Pittsburg, per act of 9th June, 1832	3,600 00
	<u>94,361 26</u>

Bridges.

Juniata Bridge	1,000 00
Catawissa Bridge	2,500 00
Robbstown Bridge	6,000 00
Monongahela Bridge, per act of 8th March, 1832	5,000 00
Columbia Bridge, per do.	50,000 00
Monongahela Bridge at Williamsport, per act of 16th March, 1832	15,000 00
Loyalhanna Bridge, per act of 26th April, 1832	2,500 00
Bridge over Ten Mile creek, per act of 4th May, 1832	700 00
	<u>82,700 00</u>

Rivers.

Delaware	1,000 00
Susquehanna and branches, per act of 26th March, 1821	2,000 00
For improving the navigation of the Susquehanna from Columbia to tide, per act of 31st March, 1823	4,312 52
Do. from Columbia to Northumberland, per act of 25th March, 1825	10,878 00
	<u>\$18,190 52</u>

Miscellaneous.

Penitentiary near Pittsburg, per act of 1st April, 1826	114 98
Dickinson College, per act of 13 February, 1826	3,000 00
Commissioners of Erie county, for re-building public buildings, per act of 15th March, 1824	2,500 00
For improving a road from the mouth of Juniata to Mahontongo creek, per act of 13th April, 1827	600 00
Deaf and Dumb Institution, per act of 23d January, 1829	4,000 00

Washington college, per act of 4th April, 1831	1,500 00	
Jefferson college, per act of 20th Feb. 1832	6,000 00	
House of Refuge, per act of 30th March, 1832	15,000 00	
Warren Academy, per act of 15th Feb. 1832	2,000 00	
		34,714 98

Due on Loans.

Stock loan per act of 2d April, 1821, re-imbursable 1st June, 1841	930,000 00	
Stock loan per act of 30th of March, 1824, \$380,000 re-imbursable 1st May, 1834, and the residue 1st January, 1839	600,000 00	
Stock loan per act of 11th April, 1825, re-imbursable 1st January, 1840	150,000 00	1,680,000 00
Bank of Montgomery county, at an interest of 4½ per cent. re-imbursable 1st May, 1835	60,000 00	
Farmers' Bank of Lancaster, at an interest of 4½ per cent. re-imbursable 1st May, 1837,	25,000 00	
Easton Bank, at an interest of five per cent. re-imbursable 1st May, 1837, reserving the right of the State to re-imburse the same at any time within that period	25,000 00	
Harrisburg Bank, at an interest of five per cent. re-imbursable in May, 1837, reserving the right of the state to re-imburse the same at any time within that period	50,000 00	160,000 00

Stock loan pertaining to the Pennsylvania canal, per act of 1st April, 1826, re-imbursable 1st December, 1846	300,000 00
Stock loan pertaining to do, per act of 9th April, 1827, re-imbursable 1st December, 1850	1,000,000 00
Stock loan pertaining to do, per act of 24th March, 1828, re-imbursable 1st Dec. 1853	2,000,000 00
Stock loan pertaining to do, per act of 18th December, 1828, re-imbursable 1st January, 1854,	800,000 00
Stock loan pertaining to do, per act of 22d April, 1829, re-imbursable 1st December, 1854	2,200,000 00
Stock loan pertaining to do, per act of 7th December, 1829, continued per act of 4th January, 1831	202,500 00
Stock loan pertaining to do, per act of 13th March, 1830, re-imbursable 4th March, 1858	4,000,000 00
Stock loan pertaining to do, per act of 21st March, 1831, re-imbursable 1st July, 1856	2,483,161 88

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Stock loan pertaining to do, per act of 30th March, 1831, re-imbursable 1st July, 1856	300,000 00
Amount received of Stock loan pertaining to do, per act of 30th March, 1832, re-imbursable 1st July, 1860	1,750,000 00
Stock loan pertaining to do, per act of 5th April, 1832, re-imbursable 1st July, 1806	300,000 00
	15,335,661 88
	\$17,175,661 88

Recapitulation of Debts due by the Commonwealth.

Turnpikes	94,361 26
Bridges	82,700 00
Rivers	18,190 52
Miscellaneous	34,714 98
Due on loans	17,175,661 88
	\$17,405,628 64

From the National Gazette.

THE PENNSYLVANIA INSTITUTION FOR THE DEAF AND DUMB.

REPORT OF THE BOARD OF DIRECTORS TO THE CONTRIBUTORS, May 1, 1833.

The Board of Directors respectfully report:

That during the year which has elapsed since the last annual meeting of the Contributors, the prosperity of the Institution has continued to advance, and that it still experiences the kindness and protection of the Great Being, who is the fountain of all benevolence, and who has smiled upon its path from the infancy of its existence.

Since the last report, some changes have taken place and some improvements have been made; among them may first be noticed the removal of the school-rooms which formerly occupied the attic-story of the main building to the new school house which had been erected the preceding year in the rear of it. This latter building is an ample and substantial one of stone, ninety-six feet in length by thirty in breadth, containing superior accommodations for the schools and their furniture, and materially increasing the comfort of the pupils. After the trial of a year, it has fully answered the expectations of all, and has afforded every desirable facility for school-room instruction.

The removal of the schools, left the space which they occupied to be converted into two large, airy and light dormitories, with their proper appurtenances, which has essentially contributed to the convenience and comfort, if not the health of the family. Other arrangements have been made, all tending to promote the welfare of the interesting inmates of the establishment, and provide in sickness or in health, far better accommodations than (in most cases) they possessed at home.

A lot of ground has been purchased in the rear of the Institution, which extends its premises to Schuylkill Eighth street. The Institution property is now bounded on all sides by streets, which secures the important advantage of having a free circulation of air, preventing at the same time the encroachment of annoying neighbors. It also has given an opportunity of enlarging the play-ground of the boys; and what is of no small importance, it has enabled them to engage practically in the business of horticulture.

In the new building, apartments have been made appropriated to the purposes of a Cabinet, which already

contains a variety of interesting specimens, a number of natural and artificial productions, and a quantity of illustrative apparatus.

The utility and importance of such a collection must be evident to all who reflect for a moment that the deaf and dumb derive the most of their information through the medium of the eye.

The Cabinet in its present state has been formed almost entirely from donations, and as the enlargement of this interesting department is highly important, further donations have been solicited and promised.

The Board have to express their regret that loss of health has deprived them of the valued services of their late esteemed Matron, Mary Cowgill, who deemed it to be her duty to resign her situation on the 21st of November last, having been connected with the Institution for twelve years, and having passed with it through all its earlier struggles and largely contributed to its success and present condition.

The deep and sincere manifestation of feeling exhibited at the parting moment, presented powerful and affecting proof that the Deaf and Dumb possess all the strong sensibilities of our nature, and showed the extent of that watchful and maternal care with which they had long been favored.

Fortunately for the interest of the Institution, a successor every way competent was found in Hannah Elfreth, who had been the Assistant Matron for several years previous, and thus had acquired all the experience and knowledge of the details of her department which was necessary. She entered upon the duties of the situation of Matron at the above mentioned date and has since filled it to the entire satisfaction of the Board.

The general health of the family has been exceedingly good during the year, proving the healthiness of the situation which the Institution occupies, and the absence of any local cause likely to engender disease.

The pestilence, which so fearfully invaded our city during the last season, was not permitted to enter the walls of the Institution.

These facts call for sincere gratitude to the Father of Mercies, whose parental protecting care it is hoped will never be withheld.

In the early part of the winter a few cases of scarlet fever occurred, and the Board lament the death of one of their most interesting and promising pupils. Miss Sophia Vezzey, of Baltimore, died on the 16th of December, having been in the Institution about two years and six months. Her remains were conveyed to her native city. While the Board sympathize with the afflicted friends, they offer the assurance that every thing was done to arrest the progress of the disease that assiduous kindness could prompt or medical skill suggest. The effect of this solemn, unexpected event, on the companions of the deceased, was powerful and salutary. This is the second death that has ever occurred through sickness in the Institution. One death by accident is recorded.

The Board cannot refrain from acknowledging their obligations to the medical gentlemen connected with the Institution for the unremitting attention, kindness, and professional skill with which they have rendered their valuable services, with no other remuneration than that which attends the consciousness of befriending the unfortunate.

The mechanical departments have been conducted with the usual fidelity and success, and another year bears testimony to the advantages which accrue from them. At present the only regular trades in operation are weaving and shoemaking. The older pupils occasionally work in a carpenter's shop provided for them with tools and a lathe.

The department of instruction, from its vital importance to the Institution, is viewed by the Board with much solicitude. The changes occasioned by the unavoidable loss of experienced teachers and the introduction of new ones, have for several years produced in-

conveniences which time only can perfectly remove. The impossibility of obtaining instructors of experience, and the length of time requisite for the acquisition of the difficult art of deaf and dumb instruction, have suggested the idea of employing one more teacher than is absolutely necessary to carry on the business of the department, in order to guard against the casualties to which it is exposed.

Three or four years must elapse before a teacher of the deaf and dumb can reach the full measure of his usefulness. The inducements to continue in so laborious and often so trying an employment are not strong, and changes are liable to occur more frequently than can consist with the good of the pupils, while disappointment somewhere must be the consequence.

Time is necessary to experience, and experience to ultimate success. In the language of one who may be considered the father of the deaf and dumb instruction in this country, and to whom the cause of education in general is deeply indebted. "The instructors of the deaf and dumb are no magicians, and what they accomplish, is done in the way of slow, gradual, patient, and laborious effort."

On the first of October last, Mr. James C. Sharon, a graduate of Dickinson College, and a native of this State was engaged to commence a course of preparation for the duties of an instructor, and has since given high promise of future usefulness.

More recently Mr. Robert T. Evans, jr. a gentleman well recommended, has begun to qualify himself for becoming a teacher, with fair prospects of future success.

Mr. Robert Evans, who had been employed as an instructor for a year and a half, and had made respectable progress in the knowledge of signs and the art of instruction, was obliged to relinquish his situation on the fifteenth of last January, in consequence of the failure of his health, to the regret of all who know him.

The gentlemen who have remained in the Institution, have been assiduous in the discharge of their duties, and notwithstanding the changes alluded to, improvements have been made in the mode of instruction, and a good degree of success obtained.

On one evening in almost every week, for more than a year past, lectures have been given to all the pupils assembled together, and a number of experiments in Natural Philosophy and Chemistry have been performed for them. The news of the week, the political changes of the world from time to time, the natural phenomena that have been noticed, geographical and scientific discoveries, remarkable facts and interesting narratives, have afforded a fund of instruction, and tended to enlarge the minds of the pupils by giving them general information on topics which could not well be introduced into the school-room. It gave them subjects for conversation, and had a tendency to lead them to inquire and think. It was a spectacle of no little interest to see a company of mutes gazing intently on the experiments of science and eager to get the explanation of the wonderful phenomena presented to their view. The only obstacle to the prosecution of such a course of lectures (as will readily be anticipated,) is the want of apparatus; for a supply of which, the deaf and dumb can only hope and look to the kindness of their friends.

The moral and religious instruction continues to exert its usual, happy, restraining, and cheering influence.

The principle of constant supervision continues in force as heretofore, and it is believed that at no previous time have the discipline, habits, and deportment of the pupils been more favorable than at present.

The number of pupils now in the Institution is seventy-two, of which thirty-six are males, and thirty-six are females. Forty are from Pennsylvania, nineteen from Maryland; seven from New Jersey; four from Virginia; two from South Carolina.

There are six deaf and dumb persons now employed in different capacities (one as a teacher,) making the whole number of mutes connected with the Institution, seventy-eight. Seventeen have been admitted during the year; and twenty-one dismissed.

The Board announces with pleasure that the General Assembly of our state, at their last session, renewed unanimously, their former grant, extending the term one year. So that fifty pupils from Pennsylvania may now be supported and educated in this Institution for five years each. There is at present room for several more, and it is hoped that the friends of the uneducated deaf and dumb will feel it their duty not to neglect this opportunity for securing an education for these truly unfortunate persons.

It is a subject of congratulation, that all the deaf and dumb institutions in the United States have now a general system of signs and course of instruction derived from the same source, suggesting the pleasing thought that all the educated deaf and dumb of our country will, like the members of one family, be in possession of a language common to all.

On the whole, the Board of Directors view with emotions of pleasure, the present flourishing and happy condition of the Institution which has been entrusted to their care; and while they do so, they hail with peculiar satisfaction, the increasing interest which the cause of the deaf-mute is exciting, and rejoice at the progress, success, and prosperity of all sister institutions.

The Directors respectfully refer the Contributors to the accompanying accounts of the Treasurer for information relative to the receipts and expenditures for the past year.

WILLIAM WHITE, President.

Attest,

ROBERT HARE, jr. Secretary.

From Poulson's American Daily Advertiser.

LAW CASE.

Caleb Johnson, a citizen of the State of New Jersey,

vs.

Isaac Tompkins, a Justice of the Peace, John Kenderdine, Isaachar Kenderdine, Justinian Kenderdine, John Iredell, Thomas Kenderdine, John E. Kenderdine, Henry Sandman, Samuel Gray, Robert Kenderdine, John Iredell, and Jacob Tompkins, citizens of Pennsylvania.

Circuit Court of the United States.

Names of Jurymen.

- | | |
|---------------------|--------------------|
| 1. Jedediah Allen, | 7. George Rees, |
| 2. Samuel Hays, | 8. Aaron Clement, |
| 3. Robert Donnell, | 9. Wm. E. Lehman, |
| 4. Reuben Etting, | 10. Hugh Colhoun, |
| 5. James McAlpin, | 11. George Gorgas, |
| 6. Jacob Strembeck, | 12. Henry Lentz. |

This was an action of *Trespass vi et armis* false imprisonment, and brought in the Circuit Court of the United States, Pennsylvania District, and tried before Judges BALDWIN and HOPKINSON. The Jury were impaneled on Monday, the 29th April, and the case was closed on the 7th instant. The trial has been one of the most interesting ever heard in a Court, and excited an intense interest during its progress.

The following is a brief outline of the circumstances.

Some time previous to the month of October, 1822, negro Jack, a slave, the property of the plaintiff, absconded from his master, residing near Princeton, New Jersey, fled to the county of Montgomery, in Pennsylvania, in the neighborhood of Hatborough, commonly called the Billet, and there was hired by the defendants, John and Isaachar Kenderdine. On Sunday morning, the 20th of October, 1822, the plaintiff, with his brother, Ralph Johnson, and his friends, Messrs. Withington,

and Skilmore, left Princeton, crossed the Delaware, and about an hour before sunset, arrived at Billet, for the purpose of securing and taking up Jack as a runaway slave. They put up at the best known tavern in the village, then kept by Mr. Marples. Upon ascertaining where Jack was, they left their great coats and umbrellas at Marples, and proceeded to the residence of the defendant, John Kenderdine, who lived about four miles from the Billet. They previously ordered their supper to be ready on their return, and mentioned to Marples (the landlord) the object of their visit, and what they were about to do. About dusk they arrived at Kenderdine's—there was sickness in the family, and the male members of the family were from home. Three of the four Jersey party left the wagon in the road, and went to the kitchen of the mansion house and knocked at the door. They were told to walk in, when one of them said an accident had happened to their wagon, and they wished help. In an instant Jack was recognised—they then said that no accident had happened, but that they used this precaution to secure him. Jack agreed to go at once. He was placed in the wagon with fetters, and upon returning to the house and making an ineffectual attempt to obtain Jack's clothes, the party proceeded to return to the Billet. There was contradictory testimony as to certain threats alleged to have been made in and on the road by the associates of the plaintiff, but it was proved that they declared that if they would go with them to the Billet, they would satisfy Isaachar Kenderdine that they had the right to take Jack.

Before they started, Isaachar Kenderdine had arrived at his brother John's house, and demanded their authority to take Jack. The taking was conducted so quietly that it was not heard in the sick room up stairs.

Before the party had got back to the Billet, they were overtaken by John and Isaachar Kenderdine, and a large assemblage of persons, who had been collected; were attacked with stones and clubs; the plaintiff received a blow which produced a contusion on the side of the head, and the physician pronounced it a serious wound. When they arrived at the Billet they were surrounded by a mob of 40 or 50 persons, and were compelled to go at once to Judge McNeil, an associate Judge of Montgomery county to prove their property. The plaintiff being very weak, begged to stay till morning. This was refused, and the plaintiff and one of his associates rode in their wagon, and the other two walked to the residence of the Judge. Among the crowd were the defendants, Tompkins, a Justice of the Peace, and the Constable Silas Roney, who was at that time only a spectator. When they arrived at the residence of Judge McNeil, a partial hearing took place, and the Judge recommended a further hearing as to the slavery of Jack, and that in the mean time Justice Tompkins should commit Jack to jail, and bind over the plaintiff and his associates to prosecute his claim. John and Isaachar Kenderdine went to Justice Tompkins and entered security in \$800 for the appearance of Jack to answer the claim of his master. The Constable and the mob then conducted the Jersey party back to the tavern, and kept them in custody till the next day.

The defendant gave in evidence that Judge McNeil, had directed John Kenderdine to bring the plaintiff and his party before him, by force, if they resisted, but Judge McNeil stated that he meant legal force, and when they were before him, seeing a Justice of the Peace (Tompkins) and the Constable (Roney) in company, he believed they were brought before him by legal authority.

During the night, Withington escaped and came to the city, and it was supposed gave information to the friends of the plaintiff of his detention; the remaining three were treated with great severity, being refused even a bed. Before daylight on Monday morning, a compromise was agreed to by all the parties who were present, the plaintiff offered to manumit Jack and pay

the expenses. A message was despatched to John Kenderdine to obtain his consent, but he peremptorily refused, declaring they should be prosecuted. On Monday morning the three Jersey men were taken before Justice Tompkins, and security in \$6000 was required of them to answer the charge of kidnapping. The plaintiff and his party not being able at that time to give the security, the Justice was proceeding to write a commitment, when the constable interposed and said he would be security for their appearance on the next day. They were accordingly conducted back to Marples tavern, and remained there under custody till the next day, Tuesday. During the second night, John Kenderdine, and 8 or 10 of his friends, came to the tavern, and insisted upon taking charge of the prisoners; some of the party behaved with great rudeness. The constable remonstrated, but they persisted, and he withdrew from the charge. On Tuesday the friends of the Jersey party arrived from Newtown, in Bucks county, and the city of Philadelphia, and they entered into security in \$2000, respectively, and one security in the like sum to appear at the next Court of Quarter Sessions, to answer the charge of kidnapping. John and Isaacar Kenderdine were bound over to testify against them. The grand jury examined the witnesses for the prosecution, and returned a true bill. At the trial at Norristown, Montgomery county, before the petit jury, great excitement against Johnson and his co-defendant, prevailed. A subscription was made to employ additional counsel to aid the attorney general in conducting the prosecution; after a long and arduous trial, the defendants were acquitted, and negro Jack was delivered up to his master, Caleb Johnson, the present plaintiff, by order of Judge Jones, one of the Judges of the Court of Common Pleas of Montgomery county.

There never was any authority in writing, either warrant or commitment, to detain the Jersey party; there never was any hearing on oath or affirmation, nor was there any complaint made on oath or affirmation before Judge McNeil or Justice Tompkins on Monday; the evidence was contradictory whether any complaint on oath or affirmation was made before Justice Tompkins on Tuesday.

On the present trial there was no dispute that Jack was a slave—since his restoration to his master he had manumitted him. Jack was now living near to his master, in the vicinity of Princeton, and had attended the last court as a witness for the plaintiff, when the trial was postponed. Caleb Johnston the plaintiff, was a farmer of considerable wealth and unexceptionable character, it appeared also that the defendants were men of moderate property, also of a fair character, and highly respectable members of the society of Friends.

Separate suits brought by Ralph Johnston, and Skilmore, were pending, and prosecutions against seven of the defendants for the penalties of \$500 each, imposed for obstructing the recovery of fugitive slaves under the act of Congress of 12th February, 1793.

A wide range was taken by the respective counsel in their addresses to the jury. The abstract merit of slavery, the importance of securing to the owners of slaves, their rights, and the impolicy and injustice of conniving at the escape of fugitive slaves were fully considered and discussed.

On the part of the plaintiff it was contended that this was a high handed violation of all law and authority on the part of the defendants, and that they should be punished with most exemplary severity.

The counsel of the defendants justified them in every part of their conduct, and contended that in points of law as well as the merit, they were entitled to an acquittal.

The court, in a most able and decided charge, instructed the jury, that the plaintiff and his associates were justified in every step they had taken to recover the slave; that the preservation of the Union depended on the affording to the owners of slaves all legal and

proper facilities to recover their property; that the proceedings of the defendants from the commencement to the conclusion had been without color of authority, and in direct violation of the constitution of the United States, and the state of Pennsylvania, and the only questions were, which of the defendants had participated in those irregularities, and what amount of damages should be given. The jury retired the 6th instant, and same day came into court with a verdict for the plaintiff of \$4,000, and a verdict of not guilty against the other defendants—Jacob Tompkins, John E. Kenderdine, Thomas Kenderdine, Robert Kenderdine, and Thomas Iredell, Henry Sandman, Samuel Gray.

The jury, we understand, formally requested Judge Baldwin to furnish a copy of his charge for publication.

Counsel,—Thomas Kittera, and Josiah Randall, Esquires, for the plaintiffs: Wm. Rawle, jr. and John Sergeant, Esquires, for the defendants.

☞ We will publish the highly interesting charge of Judge Baldwin next week.

REPORT ON THE CHILDREN'S ASYLUM,
Presented at a meeting of the Board of Guardians of the Poor, May 20, 1833, and directed to be published.
The committee on the Children's Asylum respectfully present to the Board of Guardians, their annual report, from which it appears that

On the 23d May, 1832, there were in the Asylum 87 children, viz: 69 boys and 18 girls.

During the year ending on the 13th May, instant, 93 boys and 64 girls, making a total of 157, have been admitted.

During the same period 76 boys, and 51 girls, total 127, have been discharged: Of these there were

Bound	56
Given to parents or friends	27
Died	16
Eloped	6
Stolen by parents	4
Returned to Asylum	9
Now on trial	9

127

Of the 56 who were bound, there were placed

To Farmers	15
Blacksmith	1
Housewifery	28
Tailor	1
Baker	1
Glass-blowers	2
Tanner	1
Shoemakers	4
Stocking-weaver	1
Carpenter	1
Cooper	1

56

Thirty-four were bound in the country, and twenty-two in the city.

There are now in the Asylum 86 boys, and 31 girls, total 117—of the following ages, viz:

Boys.		Girls.	
Between 1 and 2 years of age	1	Between 1 and 2	2
2 and 3	3	2 and 3	4
3 and 4	15	3 and 4	4

Boys.		Girls.	
Between 4 and 5 years of age	10	Between 4 and 5	8
5 and 6	17	5 and 6	3
6 and 7	13	6 and 7	2
7 and 8	12	7 and 8	2
8 and 9	7	8 and 9	1
9 and 10	2	9 and 10	2
10 and 11	3	12 and 13	1
11 and 12	2	13 and 14	1
12 and 13	1	17 and 18	1
—	—	—	—
	86		31

Of the older children several are permanently diseased, and several are employed as assistants in the Asylum.

There have been received from parents who have taken out their children, \$82 61, for their board.

The expenses of the Asylum during the year have been as follows:

For provisions, principally meat and milk,	\$908 33
Groceries,	416 29
Clothing,	538 40
Wood, of which there is a quantity on hand, and oil,	1077 41
Wages,	742 25
Salaries of Matron, Teacher, and Physician,	600 00
Expended by Matron for occasional supplies, and minor expenses, authorized by the committee,	363 87
Miscellaneous, including leeching, bleeding, and cupping,	356 36
Almshouse account for bread,	766 00
Ditto, for coal,	93 50
Medicine and coffins,	25 42
	<hr/>
	\$5,887 83
Deduct for children's board,	82 61
Sales of small articles,	2 50
	<hr/>
	85 11
	<hr/>
	\$5,802 72

The salutary influence of the rule which subjects parents to the payment of board, for their children, when removed by them from the Asylum, is very decided. The children and the public are alike benefited. The amount received is small, but the circumstance of a charge being made, often deters improvident and worthless parents from taking away their children, as had formerly been the practice, to prevent their being placed out by the committee.

The general health of the children has been good. A few cases of cholera appeared among them during its prevalence in the city, last summer. The committee, apprehensive that it might find its way into the Institution, took timely measures of precaution, and among other things caused the old hayhouse, which is detached from the main building several hundred feet, to

be fitted up for cholera patients, into which all suspicious cases were immediately introduced, on their arrival at the Asylum, and where they remained, until they were adjudged to be fit subjects for the principal building. During the winter, the House was visited by the scarlet fever, and a few deaths among children of feeble constitutions, occurred; more recently the small pox and varioloid made their appearance. It had been the practice, in similar cases to send the patients to the public Hospital at Bush Hill; but the mortality had, in these instances, been so appalling, that the committee were induced to fit up the garret over the long room, exclusively for such cases; and they have the satisfaction to add, that out of about 20 children taken down by these diseases, two only died—both of these children had been previously debilitated by other causes. For a more detailed account of the infirmary, the committee refer to the statement of the Physician of the Asylum, attached to this report.

A very considerable proportion of the inmates of the Asylum, are the offspring of intemperate people. Several of the children had themselves been injured, by their more profligate parents, to the use of stimulating draughts. One little girl, about five years old, was brought to the Asylum under strong excitement, produced by ardent spirits. Her constant cry, for hours after her admission, was, "Give me whiskey"—"give me whiskey." The person who accompanied her said the child had not been sober for six weeks. She was much emaciated, stupid, and tremulous. By suitable treatment she was restored, became an amiable and interesting little girl, and is now placed with a respectable family in the country, where she continues to do well. Other instances of the same melancholy character might be mentioned—but their recital would be alike painful to the committee and to the Board.

The cancer oris, or canker of the mouth, which formerly destroyed so many of its unhappy victims, in the Asylum, has not made its appearance there as a primary disease for more than a year. The very judicious and successful treatment of that malady by our attentive and skilful practitioner, Doctor Matthew Anderson, Physician of the Asylum, has, by the blessing of Providence, eradicated for the present, at least, and the committee hope permanently, that offensive and deadly disease from the institution. But a large number of the children who are admitted into the Asylum, are, sooner or later, affected with sore eyes, for which no apparent cause can be assigned, all the apartments being constantly well ventilated, dry, and cleanly, and great care taken to purify the children by frequent ablutions and fresh clothing. This disease, however, yields very readily to medicine, and leaves no lasting injury.

The school is continued under the supervision of the daughter of the Matron, and is attended with as much success as could, perhaps, be reasonably expected, considering the perpetually shifting condition of her pupils, their previous ignorance and untoward habits. The most intelligent and orderly of their number, when of suitable ages, are of course the first to be selected by applicants for apprentices. Should they advance but

little, in school learning, during their short residence in the Asylum, yet much may be gained by the moral training to which they are here subjected, and to which many of them had before entering the premises been utter strangers.

Our excellent matron continues to deserve the applause of the committee. She is indefatigable in her efforts to preserve the cleanliness of the whole establishment, in her motherly care of the children, in her attention to their several wants, their morals and their persons, and in all the other duties of her arduous station.

The Committee do not feel at liberty to close this report without bearing testimony to the valuable services rendered to them by their estimable and intelligent Secretary, to whose very useful labours and punctual attention to the duties devolved upon him, they acknowledge themselves greatly indebted.

The Asylum deservedly demands the continued patronage of the Board. It is of incalculable importance to have the children thus separated from the evil example and contamination of old and hardened offenders, such as, unhappily, are too commonly the inmates of the Almshouse.

THOS. P. COPE,
JOHN KEEFE,
JOHN HEMPHILL.

Children's Asylum, 5 mo. 18, 1833.

Annual Report of the Medical Department of the Children's Asylum.

Annual Report of patients admitted into the Infirmary of the Children's Asylum, Southwark, for Medical and Surgical treatment, from May 1st, 1832, to May 1st, 1833, with the following diseases, viz:

Abcess,	5
Bronchitis,	1
Cancer Oris, (secondary)	2
Caries,	1
Cholera Malignant,	9
Cholera Morbus,	8
Convulsions,	1
Croup,	3
Debility,	3
Diarrhœa,	10
Fever,	
Catarrh,	21
Ephemeral, 2, 3, or 4 days,	4
Intermittent,	10
Remittent,	13
Scarlet,	4
Typhoid,	1
Gums, Ulceration of	1
Hip, disease of	1
Injury,	1
Inflammation of	
The Eyes,	14
Lungs,	1
Throat,	1
Marasmus,	4
Measles	2
Chicken Pox,	1

Small Pox,	15
Scald Head,	1
Scorbutic Gums,	3
" Rash,	1
Scrofula,	6
Stomach, foulness of	3
Tetter,	2
Ulceration of Gums,	2
Vaccinations, successful	43
Varioloid,	4
Worms,	3

Total, 205

Of the above number of cases there are remain-

ing in the Infirmary,	9
Relieved,	3
Removed,	2
Died,	16
Cured,	175

Total, 205

DEATHS.

DISEASE.	Length of time in the Infirmary from the admission to death.	
	1 of 5 months	2 days.
Hip disease,	1	3
Intermittent Fever,	1	3
Caries of Underjaw,	1	2
Catarrh Fever,	1	1
Cancer Oris superven-		
ing to Diarrhœa,	1	1
Chronic Diarrhœa,	1	1
Marasmus,	1	
Marasmus,	1	
Marasmus,	1	
Scarlatina,	1	
Small Pox,	1	
	1	
	1	
Typhoid Fever returned		
from the country,	1	
Malignant Cholera,	1	
" "	1	

Average length of time one month and about two and a quarter days.

AGES.

One of eight years,	
One of seven do.	
One of six do. and six months.	
One of six do.	
One of five do.	
One of four do. and six months.	
One of four do.	
Three of three do.	
One of two do. and six months.	
Four of two do.	
One of one do. and nine months.	

Average ages three years and nearly eleven month

MATTHEW ANDERSON, M. D.
Attending Physician to Children's Asylum.

SISTERS OF CHARITY.

At a meeting of the Board of Guardians, May 20, 1833, the following preamble and resolutions were adopted, and with the letter referred to, ordered to be published.

SAMUEL HAZARD, Secretary.

Whereas, a written communication has been received by this board from the Rev. John Hickey, Superior of the sisters of charity, intimating, for reasons therein stated, that it is his intention to recall the sisters now in the Almshouse, as soon as this board shall have had time to supply their place, and whereas it is proper that some testimony should be borne to the zeal, fidelity, and disinterestedness which these amiable philanthropists have exhibited: Therefore

Resolved, That this body entertain a deep, lasting, and grateful sense of the generous devotedness—the serene and Christian kindness, and the pure and unworldly benevolence which have prompted and sustained the sisters of charity attached to this Institution, during the trying period of pestilence and death, and afterwards in the midst of constant suffering and disease.

Resolved, That the invaluable services of these amiable women have been productive of lasting benefit to this institution, in the admirable and energetic measures which they have introduced for the relief and comfort of the sick and afflicted, and entitle them to the warmest thanks and gratitude of the whole community, which has been benefited by their labours.

Resolved, That this body, in parting from the sisters of charity, regret that the rules and habits of the order to which the sisters belong, do not admit the acceptance of any reward, as it would give them pleasure to bestow such a testimonial as might serve partially to express the grateful feelings which they entertain.

Resolved, That in permanent testimony of our feeling in regard, the above resolution be recorded in the minutes of the board.

To the Board of Managers of the Philadelphia Almshouse.

Gentlemen,—When your Board made application through Bishop Kenrick for the Sisters of Charity, the ravages of the Cholera among the unfortunate inmates of the Institution over which you preside, required that your request should be immediately complied with. It was a crisis of pestilence, which demanded prompt decision on the part of the Superiors of the Sisters at Emmitsburg, and accordingly eight of their number immediately set out to meet the exigency.

It has never since been in our power to ascertain, by actual observation, how far their continuance in your institution would be in accordance with the charitable end of our society, and with the religious retirement and the exercises of piety peculiar to its members.

Being now on the spot, and having made all the inquiries necessary to determine my judgment, I feel it my duty, gentlemen, to advise you that I do not consider their longer continuance in the Almshouse to be that department of Charity in which they can be most usefully employed. With all the good will and kindness which you, gentlemen, have manifested in their regard, I do not perceive that, consistently with the principle on which the institution is founded, supported and governed, it is in your power to secure to them those opportunities of practising the duties of their state of life, according to their rules—that protection of their feelings from the rude assaults of such persons as are necessarily in your institution, and who regard it as their own, whilst they look upon those who minister to their comfort, as servants paid for doing it—or that security from misrepresentation of motives and of action, to which a few retiring and timid females are necessarily exposed, labouring amidst such a population of paupers.

Besides, in every case of legal provision for the poor,

the expenses of attending them are included, the places occupied by the Sisters might afford employment to others who stand in need of it, for the sake of an emolument which enters not into the motives that influence the Sisters or their Superiors. Consequently, the poor would be attended to in your institution, whilst the Sisters could be employed in other departments of Charity, where the unhappy sufferers have to depend on a mere precarious support, where the orphans will look on them as mothers, and the sick as sisters. Where theirs will be the task to plant the seeds of virtue and of education in the minds of poor children, whose poverty and wretched parents sometimes conspire to deprive them of both, unless such facilities be afforded.

Trusting, gentlemen, that you will appreciate these motives, I beg leave to say that after allowing such time as you may think requisite to have their places supplied by others, it is my intention to recall the Sisters who are now in the Almshouse.

In making this communication, gentlemen, permit me to say that no complaint has ever been made by the Sisters against any member of your Board, but on the contrary, every testimony has been borne to the kindness and zeal for their comfort, which you have manifested, individually and collectively, in their regard, during the whole time of their stay in your institution, and for which permit me, gentlemen, in their name, to return you my unfeigned thanks.

I am, gentlemen,

Very respectfully,

Your obedient servant,

JOHN HICKEY,

Superior of the Sisters of Charity.

Philadelphia, May 15th, 1833.

FRESHET.

COLUMBIA, Saturday, May 18, 1833.

The late heavy rains have caused a flood in the Susquehanna, which, on account of the suddenness of its rise, is perhaps unprecedented—at any rate our oldest inhabitants recollect nothing of the kind that will compare with it. From 7 o'clock on Tuesday evening, until 4 the next morning—a period of nine hours—the water had risen seven feet; and at 7 o'clock on Wednesday evening it was 12 feet 3 inches higher than at the same time on the preceding evening. The amount of property destroyed must be immense. On Wednesday morning the river at this place was literally covered with rafts, shattered and whole, loose timber, trees, &c. which had been swept away above us; one ark loaded with flour and whiskey was seen to go by very early, untenanted.

We are happy in being able to state that the damage done along the shore at this place is light in comparison to what it might have been. Our lumber merchants had piled all their lumber in a place of security, and lost nothing. A few rafts of timber were taken off from the saw-mills of Messrs. Strickler, Forrey & McKisick. The greatest losers are, perhaps, Messrs. Moore & Evans, bridge contractors: they lost seven or eight of their boats, and considerable timber; and a part of a span of the new bridge (on the Wrightville side) was thrown down by the destruction of the false works, and was not secured until it had floated a distance of two miles. Their loss is supposed to be about fifteen hundred dollars. The flooring of the outlet lock at the canal basin had not been secured, and was consequently raised from its position by the water, but sustained no other injury. The canal is said to be damaged in a number of places—but not seriously. We learn that a large quantity of lumber was swept from the shore at Marietta—the water overflowing the whole bank between the river and the canal.

On Wednesday morning Mr. Daniel Cook, of Marietta, was drowned about a mile above this place, while endeavoring to save a raft of lumber, which had broken

loose and was floating down the stream. He was on the forward part, when it suddenly doubled under, taking him down with it, and he was seen no more.

We learn that a man, engaged in securing a platform of boards opposite Washington, on Wednesday afternoon, was hurried down by the current, and was not taken off till the next morning, when he had reached a distance of about fifteen miles—having been detained on the way by lodging against the rocks a number of times.

The river is falling slowly—up to last evening it had decreased about 20 inches. *Spy.*

HARRISBURG, May 17.

The Susquehanna is now higher than it has been known to be at this place for the last thirty years; and the precipitancy with which it rose exceeds any thing within the memory of the oldest inhabitants. The river has been burdened with drifted wood, lumber, and broken rafts; and even cattle and horses have been observed floating on its surface. A number of bridges across the small streams have been swept away, inasmuch that the stages have not been able for two days past, to make their passage northward from this place; and the Lancaster stage has found the depth of water from the river, upon the turnpike, four miles below this place; such as to annoy the passengers inside. The canal is said to be literally overflowed by the river in many places, and the damages apprehended to the public works is great. Appearances generally warrant an exaggerated estimate of destruction of this kind, and we hope it may turn out to be so in this case.—*Reporter.*

GREAT FLOOD.—We had heavy rains on Monday afternoon and night, which swelled the Susquehanna river to a height unusual at this season of the year. The river has seldom, if ever, rose so suddenly and rapidly. The village of Kingston presents the appearance of two islands, owing to the great rise of the back creek, and the backwater of the river. The road to Wilkesbarre is again impassable for horses. By the aid of boats, footmen can cross, though not without difficulty.

We understand a great quantity of lumber descended the river yesterday morning, without any other steersman than the rapid current. Much descended in broken fragments of rafts that had apparently been torn asunder by the flood. It is probable much lumber had been rafted, and was awaiting a rise of water, which came so suddenly and unexpectedly, that owners were not prepared to run or secure it. There has undoubtedly been a great loss of lumber, and perhaps, in some instances, grain fields have sustained considerable injury by the flood.

The river is as high this morning as it was during the great ice freshet, in the early part of last year, and is still rising. It is probable, however, it will not rise much more.—*Wyoming Republican.*

WILLIAMSPORT, Pa. May 15.

The river and the smaller streams in our neighborhood, are swollen to unusual height. On Saturday morning it commenced raining, and continued with slight intermission until last evening. The river commenced rising on Monday, and on Tuesday morning it was 10 or 12 feet above low water mark. It continued rising when our paper went to press. So sudden a rise in the river is scarcely recollected; nor has it been so high for several years. Several accidents are said to have occurred already, and in all probability others will occur. The Saw-Mill on Loyalsock creek, owned by Mr. Sweet, with the dam and a quantity of timber, was entirely swept away yesterday morning. The bridge over the same creek, on the road leading to Muncy, is

considerably undermined, and, it is feared, will be carried off. Considerable apprehension is felt for the safety of the public works on the canal.—*Lycoming Chro.*

THE REGISTER.

PHILADELPHIA, MAY 25, 1833.

Among the proceedings of Councils inserted this week, is a proposition to illuminate the city by means of towers. This plan is not novel, as it was suggested three years ago by Jacob Smith, of this city, in Poulson's paper, of December 8th, 1830, under the signature of J. S. After its publication, the proposition was repeated in the New York papers, with a view of not only lighting the city, but the bay; and it was also proposed to erect on a hill near Pittsburg, a tower to illuminate that city, all which suggestions arose from the proposal of Mr. Smith; so that he is probably entitled to the credit of originally calling attention to the subject.

The following is the article as it appeared in Poulson's paper, of the above date. It is not unusual, in many ports, where entrance is difficult, and there are not light houses, when a vessel appears in the offing, or makes a signal by firing a gun at night, to kindle fires at the mouth of the harbor, to direct to the proper course.

"MR. PAULSON,—Observing some time ago in the papers, that it was thought preferable to light the city with gas in place of oil, as is now done, it struck me that the city might perhaps be lighted upon a plan, very different from the one now in use;—the thought occurred to me some time ago, which a fire near the Delaware, above Vine street gave rise to; the place where this fire was, is a low part of the city, the light which it occasioned was so great that at the distance of upwards of a mile I could read a newspaper by it. Now, could not the city be lighted by one or more large lights, placed in suitable situations on towers of sufficient height?—would not this mode of lighting the city be vastly superior and more effectual than the present method? every part of the city would receive as much light as the streets—and would not the consumption of oil, or gas be considerably less. I am not sufficiently versed in these matters to say positively the plan is practicable, yet I think it is; some of our scientific gentlemen could best decide it. A respectable New England shipmaster informed me, that the Light House of Portsmouth, whose height is 85 feet above the level of the water, has eight lights in its lantern, and that the lights in this lantern illuminated the space of half a mile round the Light House; the size of the light he did not recollect, nor did I understand that reflectors were used—an experiment might be made, by placing a light of a certain magnitude on the State House steeple, or if this should be thought too hazardous, on a temporary frame work of sufficient height, on one of the public squares."

J. S.

We last week noticed the prevalence of the drought throughout the state; we have now to record the occurrence of freshets, in our principal rivers and streams, which have occasioned loss of property, of some lives; and injury to portions of canals, though we are happy to learn that the damage sustained by the canals is not as great as was at first supposed it would be.

REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

VOL. XI.—NO. 22.

PHILADELPHIA, JUNE 1, 1833.

NO. 283.

From Poulsen's American Daily Advertiser.

CALEB JOHNSON,
vs.
JOHN KINDERDINE, & OTHERS. } In the Circuit Court of
the U. States for the
Eastern District of
Pennsylvania.

The jury impanelled in the above case have unanimously instructed their Foreman to request Judge BALDWIN, to permit the able, clear and lucid charge delivered by him in the above case, to be published. They make this request from a sense of duty, believing that the publication will be salutary to the best interests of the community, and that the charge is replete with the soundest constitutional principles, applied to one of the most important and delicate subjects that can be presented for examination before the judicial tribunals of our country.

JAMES McALPIN, Foreman.

Caleb Johnson vs. Isaac Tompkins, and others.

CHARGE OF BALDWIN, J. TO THE JURY.

The facts of this case are not complicated, and there is not much contest about those which are material to its decision.

That Jack was a slave for life, the property of Mr. Johnson, absconded from the service of his master to this State, and had been for some time in the employment of the Messrs. Kinderdines. That Mr. Johnson and others of his party, came to the billet on the evening of the 20th October, 1822, being Sunday, with the intention of taking him, which they made known; went to the house of Mrs. Kinderdine, which they entered peaceably, took Jack without disturbing the family, put him in the wagon, and put hand-cuffs on him. After some altercation at the gate, with Mr. Issachar Kinderdine, they proceeded on their way to the billet; that near the Horsheim meeting house, a crowd of from 20 to 30 persons had assembled. Mr. Kinderdine attempted to take hold of the horses of the plaintiff in order to stop them in the road, but desisted on the threat of Mr. Withington to blow out his brains if he stopped them. That on their arrival at the billet, the crowd had increased. Mr. Johnson had received a severe blow on the head, from some of the crowd, near the meeting house; the traces of the wagon were cut; the Jersey party were ordered to go forthwith to Judge McNeils, under threats of force if they would not go peaceably. After some time they went, attended by a crowd variously estimated from 30 to 60, and returned after a short time to the billet, under the charge of a constable; they were detained all night under guard, without being permitted to retire to a lodging room; taken next morning to Justice Tompkins; brought back by the constable to the tavern, where they were detained all Monday by the constable, and watched during the night by him and some of the defendants. Mr. Withington had escaped on Monday night; came to this place, procured bail and counsel; and on Tuesday morning the plaintiff and his party were liberated, on giving security for their appearance at the next Court, in Montgomery county.

They were indicted for kidnapping, under the act of 1820, tried and acquitted; Mr. John Issachar and Sarah Kinderdine were witnesses for the prosecution; Jack was present at the trial, but was not examined; counsel

were employed to assist the prosecuting counsel, to whom Jack paid, through Mr. Ellis, 30 or 50 dollars. In January 1823, Mr. Johnson took Jack home, under a warrant from Judge Jones, and detained him as a slave till about two years, since when he manumitted him; Jack is now free, and residing in Princeton.

These facts are not contested.

On one side the plaintiff asserts certain rights under the laws and constitution of this State and of the United States, what they are we shall state to you plainly and explicitly, and whether they justified the plaintiff and his party in the course they pursued. The defendants deny these rights, by what authority you have heard and must decide; they assert in themselves certain rights, but from what source we are not informed—they profess to have acted from motives of humanity and benevolence—from the admitted facts their conduct towards the Jersey party could not well have been governed by such motives. How far they operated to influence their conduct for the benefit of Jack, we can ascertain from another uncontested fact, that on Sunday night Mr. Johnson offered to manumit him and pay all the costs of the proceeding—the manumission was drawn up by Dr. Hill, and executed in his presence, but the proposition was rejected by Mr. John Kinderdine, and the Jersey party was prosecuted as you have heard, while no concern was taken in Jack's freedom. His part in the trial seems to have been confined to the payment of the wages earned by him during his elopement, or put into his hands by others, to counsel thus hired to prosecute his master, without any complaint of hard usage to Jack.

That the plaintiff has been grievously injured by some one; that he has been restrained of his liberty and severely prosecuted as a felon, are also admitted facts. If it has been done by the defendants or any of them, it becomes a most interesting case to the parties, as well for the question involved as the extent of the injury inflicted and damages claimed.

It is not pretended that the plaintiff committed any breach of the peace in entering the house, taking Jack, securing him into the wagon, or in carrying him to the billet;—the only alleged outrages are the threat to Mr. Issachar Kinderdine at the gate, (which Joseph Kinderdine did not hear, though standing by the side of the wagon near his uncle and aunt—and who, though in the house when Jack was taken out, heard no noise)—and the threat in the road when Issachar had seized, or was about seizing the horses by the head. The defendant's witnesses all concur in stating the conduct of the plaintiff and his party, with these exceptions, to have been quiet and civil throughout all the occurrences till their liberation on bail.

The plaintiff appeals to the laws and constitutions for the assertion of his rights, and redress of his injuries; the defendants instruct their counsel to appeal to other laws and rules, which they contend justify all their acts; they do not attempt to mitigate or palliate their conduct as having been committed under any mistake; they offer no evidence of Jack's right to freedom, or of an infringement of any of their rights by the plaintiff or his friends—they stand boldly and manfully on their rights, as a justification, disclaiming damages, or making any excuse or apology for what they had done, down to

the moment of submitting their case through their counsel to you. The plaintiff is denounced before you as a felon, ruffian, and kidnapper, though he voluntarily manumitted Jack after all he suffered, and though there cannot now be even a pretence that he was free in 1822. The witnesses for plaintiff are said to be perjured, although you will probably concur with us in thinking, that the only material difference between their statement and that of the defendant's witnesses, is in relation to the threats made use of to the Jersey party before going to Judge McNeill's. The plaintiff's witnesses say the threat was to tie and take them if they would not go voluntarily; the defendant's witnesses say the threat was to use force to take them, a difference, in our opinion, of no importance, for it mattered not how the force was threatened to be applied. Mr. Withington and Skillman are called old soldiers, practiced kidnappers, used to the trade, because they had sometime before taken from the same neighborhood a runaway slave of the father-in-law of Mr. Withington, who returned voluntarily, and expressed himself glad they had come for him. You thus see that to this moment their spirit does not relent, they have no respect for the verdict of a jury of their neighbors in their own county, given on the evidence of the defendants themselves, nor for the law, which, after a verdict of acquittal, pronounces the parties accused to be innocent of the offence charged.

This view of the case makes it interesting to us and to every one. It is time to know whether the acts which have been done by the plaintiff have made him a felon, whether he is yet to be called one in a Court of Justice, after an acquittal by a jury, or if in any, or what respect is due to the verdict of a jury in Pennsylvania, in repelling the imputation of an infamous crime. If Mr. Johnson is yet open to the epithets so freely bestowed on him, there can be no end to prosecutions, and no protection by the laws.

Another matter must be settled, whether the owner or claimant of a fugitive slave, who comes into this state under the authority of its laws, its constitution, the law and constitution of the United States to reclaim his property, is under any obligation to submit the evidence of his right to any person who makes the demand, to do it in the public highway in the evening or at night, before an assembled crowd in a road or at a tavern. And if any man has a right to demand the papers and other evidence of the claimant's property in a fugitive, he has the same right to judge of their sufficiency, whether the plaintiff could be compelled to go before any particular judge or justice to prove his property, and if he failed in his opinion to make out his right, was to be bound by it, and to be considered and treated as a felon for having seized his slave; deprived of his liberty, refused a bed, and compelled to go from place to place, without any legal arrest or warrant. Finally he is compelled to undergo a vindictive prosecution for arresting a fugitive, proved by his own admission to be the plaintiff's slave till he was 30, and his subsequent right to freedom resting on his naked assertion not only not attempted to be supported, but contradicted by the most incontestible and uncontested evidence. Look at the conduct of the Judge, and the reasons he gave; *the plaintiff had no bill of sale to himself from Ranley*, and yet the Judge saw the receipt of the purchase money paid for Jack; he was called *Jack*, without any further description, and the Judge said the plaintiff might take up any black man by the name of Jack; yet Jack stood before him acknowledging his identity as the same slave who was sold by Mr. Berrian to Ranley, and by him to Mr. Johnson. Is this gentlemen, the law of Pennsylvania, and are such the rules by which property is held in this state; if they are, who can be safe when the evidence before Judge McNeill was held to be insufficient; this is a question which comes home to every man. Who can show a better right to personal property than a purchase, the receipt for the money, fourteen years peace-

able possession, and the public acknowledgment of Jack confirming it.

Here is a specimen of the security for the rights of property, when the law of the land is disregarded; and the security of the personal liberty of our citizens when individuals take the law into their own hands, to be administered by their opinions of justice, natural right, social law, public opinion, humanity and philanthropy. It does not indicate the laudable zeal to release the free from bondage, but rather to make the slave free, and the freeman a slave.

Such are the questions involved in this case which comes before us not on a mere inquiry into the injury done the plaintiff, or the compensation to which he is entitled from the defendants; but on an issue of right by the law of the land; on which we shall give our opinion most explicitly as we are in duty bound to do; the facts of the case are for your decision.

It has been thought best to do it in writing, that our opinion may neither be misunderstood or misrepresented, so that the opinion of the Supreme Court may be had upon it, and I hope that the party dissatisfied with it, may take it before them for their revision, in order that the whole law may be definitely settled and known. What then is the law, and with whom is the right of the case, you will be able to ascertain from the evidence you have heard, and the opinion which we have formed; Judge Hopkinson concurs in the general results which will be stated to you; there has not been time to submit to him the detailed view taken of the subject.

On a question of Slavery or Freedom, the right is to be established by the same rules of evidence as in other contests about the right to property.—7. Cr. 295.

It is an universal principle that possession of property, quiet and undisturbed, is evidence of ownership, and that possession cannot be disturbed, unless by one having a better right.

The burthen of proof rests on those who attempt, or claim the right, to take property from the possession of another, or to interfere with his control and disposition of it.

The evidence of the property in this case is uncontradicted.

That the mother of Jack was the slave of the late Judge Berrian, of New Jersey; that Jack was born shortly after the death of Mr. Berrian, in 1791 or 2; that he was a slave of the estate sold or allotted to Thomas Berrian, one of the children and heirs, at a very early age; kept by him as a slave till 1807, when the he was sold to Perez Ranley, for 300 dollars, who in the same year sold him for the same price to the plaintiff, with whom he remained for 14 years, before he absconded from his service.

Jack admitted his original slavery, but alleged that by the will of Mr. Berrian, he was entitled to freedom at 30. The will has been produced, but has no such condition or direction, and no evidence has been offered to support Jack's assertion, which must therefore be taken as not only unsustained, but directly contradicted and false, and his identity was admitted.

The original bill of sale to Ranley has been produced, and the sale by him to the plaintiff, proved by the production and proof of the receipt for the purchase money, which is as effectual for the transfer of personal property, as a deed or regular bill of sale, all which is required in such cases, is evidence of the sale, which may be by parol as well as writing, or inferred from long and quiet possession.—1. Dall. 169.

The plaintiff has therefore given abundant evidence of property in Jack to entitle him to recover; were it on a trial of freedom, the Judge was entirely mistaken in saying that a bill of sale to the plaintiff was necessary, or that the papers produced to him, connected with Jack's admission, were not sufficient proof of his being a slave, and the same person who was sold, and in the possession of the plaintiff. He was not bound to disprove Jack's assertion, but those who denied the right of Mr.

Johnson, were bound to prove it true;—yet long as this controversy has subsisted, and interesting as it has now become, no attempt is made to support this assertion, on the belief of which, or under color of which the defendants has acted from the time of their first interference between Jack and the plaintiff. The ownership of Jack being thus clearly made out, he must be deemed to be the property of Mr. Johnson, over which he has the same control as over his land or his goods. It is not permitted to you or us to indulge our feelings of abstract right on these subjects; the law of the land recognizes the right of one man to hold another in bondage, and that right must be protected from violation, although its existence is abhorrent to all our ideas of natural right and justice.

As a consequence of this right of property, the owner may keep possession of his slave—if he absconds he may retake him by pursuit into another State, and may bind or secure him in any other way to prevent his second escape—he may arrest him by the use of as much force as is necessary to effect his reclamation; he may enter peaceably on the property or into the house of another, taking care to commit no breach of the peace against third persons. But it is no breach of the peace to use as much force or coercion toward the fugitive as suffices for his security—as without such force no slave could be retaken without his consent. The master may also use every art, device or stratagem to decoy the slave into his power—odious as these terms may be in their application to an unlawful act, they ought to be considered as far otherwise when used for a lawful and justifiable purpose. It is every day's practice to detect counterfeiters, and those who pass counterfeit money, by employing persons to purchase it from them—it is necessary for the purpose of public justice that such and similar means should be resorted to, or criminals would escape detection—they are neither immoral or illegal.

Jack's escape was by fraud and art, practised to his master's injury, and he is forbidden neither morally or legally from reclaiming his property by circumventing and defeating the fraud of the slave. To deny to the owner of property the use of such means to recover it, would make his right an empty and barren one, by taking from him the means of enjoying it—it was the mode least calculated to alarm or disturb the family. This right of a master to arrest his fugitive slave, is not a solitary case in the law; it may be exercised towards a fugitive apprentice or redemptioner, to the same extent, and is done daily without producing any excitement—an apprentice is a servant, a slave is no more; though his servitude is for life, the nature of it is the same as apprenticeship or by redemption, which though terminated by time, is, during its continuance, as severe a servitude as that for life. Of the same nature is the right of a parent to the services of his minor children, which gives the custody of their persons. So where a man enters special bail for the appearance of a defendant in a civil action, he may seize his person at his pleasure, and commit him to prison or if the principal escapes, the bail may pursue him to another state, arrest, and bring him back by the use of all necessary force and means of preventing an escape. The lawful exercise of this authority in such cases is calculated to excite no sympathy; the law takes its course in peace, and unnoticed, yet it is the same power, and used in the same manner, as by a master over his slave. Had Jack been the apprentice of Mr. Johnson, or he had been the special bail of Jack, he would have the same right to re-take him as he had by being his owner for life—the right in each case is from the same source, the law of the land. If the enforcement of the right excites more feeling in one case than the other, it is not from the manner in which it is done, but the nature of the right which is enforced—*property in a human being for life*. If this is unjust and oppressive, the sin is on the heads of the makers of laws, which tolerate slavery, or in

those who have the power in not repealing them; to visit on those who have honestly acquired, and lawfully hold property, under the guarantee and protection of the laws, is the worst of all oppression, and the rankest injustice towards our fellow-men. It is the indulgence of a spirit of persecution against our neighbours, for no offence against society or its laws; for no infringement of the rights of others, but simply for the assertion of their own in a lawful manner.

If this spirit pervades the country; if public opinion is suffered to prostrate the laws which protect one species of property, those who lead the crusade against slavery may, at no distant day, find a new one directed against their lands, their stores, and their debts; if a master cannot retain the custody of his slave, apprentice, or redemptioner, a parent must give up the guardianship of his children, bail have no hold on their principal, the creditor cannot arrest his debtor by lawful means, and he who keeps the rightful owner of lands or chattels out of possession, will be protected in his trespasses.

When the law ceases to be the test of right and remedy—when individuals undertake to be its administrators by rules of their own adoption, the bands of society are broken as effectually by the severance of one link from the chain of justice, which binds man to the laws, as if the whole was dissolved. The more specious and seductive the pretexts are under which the law is violated, the greater ought to be the vigilance of courts and juries in their detection; public opinion is a security against acts of open and avowed infringements of acknowledged rights—from such combinations there is no danger—they will fall by their own violence, as the blast expends its force by its own fury. The only permanent danger is in the indulgence of the humane and benevolent feelings of our nature, at what we feel to be acts of oppression towards human beings, endowed with the same qualities and attributes as ourselves, and brought into being by the same power which created us all; without reflecting, that in suffering these feelings to come into action against rights secured by the laws, we forget the first duty of citizens of a government of laws—obedience to its ordinances.

Those who are looking only to the oppression which exists, but in their own imagination, may make their own philanthropic feeling the standard of right and wrong, but it must be remembered, and impressed on every member of society, that no man can consider that to be injustice which the law declares and protects as a right, or an act to be oppressive which the law has provided as a remedy for its infringement. The impression may be honest, the feeling laudable, and the motive virtuous in the abstract, but the law forbids its action on the property or persons of others. The history of this cause affords a striking illustration of the dangerous effects of these feelings being suffered to influence the conduct of even the best members of the community. The fair character and high standing in life of the defendants in this case, may be a guaranty to the public against any intentional infraction of the peace and good order of society, but one incident in the cause shows the contagious effect of bad example in the higher orders of society on the lower. John Chester felt authorised to take and act his part in the transaction, more humble indeed than that of his superiors, but not less efficient in its furtherance of the object, by cutting the traces of the wagon, where John would have stopped in the use of his knife, had its employment in another way been likely to effect the liberation of Jack, is difficult to say, and would be invidious to conjecture, it suffices to refer to it as a salutary lesson—the case is full of them.

The opinion of Judge Washington, in *Hill vs. Law*, meets our entire concurrence.—“That if a man should honestly believe that the person claimed as a fugitive did not in fact owe service to the claimant, he could not in his defence allege ignorance of the law, and that

such matters were unfit for the inquiry of the jury. That it was sufficient to bring the defendant within the provisions of the law, if having notice either by the verbal declarations of those who had the fugitive in custody, or were attempting to seize him or by circumstances brought home to the defendant, that the person arrested was a fugitive or was arrested as such."—4 Wash. 329. The case must be decided by the facts in evidence, and will not be influenced by the defendant's belief or knowledge of them in any other way than in mitigation of damages, if you are satisfied that they were really ignorant of Jack's situation and they believed him free.

From the full investigation of its merits, which has now been had, all doubts of the slavery of Jack as the property of Mr. Johnson, by fair purchase of his right to his possession and custody, and to retake him wherever he was found, have wholly disappeared, and the defendants by confiding in his naked assertion of being free, have seen the bad effects of trusting to the fabricated stories of fugitives from service. In opposing his reclamation by his master they acted at their peril; he was in pursuit of his right—he entered peaceably into the house where he found his slave; he arrested and secured him in the wagon without any breach of the peace. There is no evidence of any cruelty practised on Jack, or of any complaint of hard usage; he appears to have made none, nor to have called for any assistance from any one, even after some of the defendants had come to the wagon; their interference was purely voluntary. The first inquiry then is, was it justifiable?

The slave was arrested on Sunday it is true, but no law prohibits a man from protecting or reclaiming his property on that day, 5 S. & R. 301. Working on Sunday is no breach of the peace, 1 S. & R. 350, when done without noise or disorder. A justice of the peace has no right to enter on the land of another on Sunday for the purpose of obtaining evidence of a breach of the Sabbath against the will of another. He ought to summon the offenders the next day, and proceed against them in the usual manner, 351. If the service of process on Sunday was illegal except for a breach of the peace or felony, the defendants could not arrest or detain the Jersey party without process or legal authority for any other cause.

The slave, it seems, was seized in the twilight or night, but that did not justify the interference of the defendant to rescue him, or obstruct the plaintiff in removing him;—the putting of irons upon him is of itself no justification of the infliction of any violence upon the plaintiff. If it was an act of unnecessary severity, it would be a circumstance for which you would make a proper allowance in assessing damages as one which would mitigate the conduct of the defendants, by the excitement which it would be apt to produce. Whether however it was a measure of prudence or of cruelty not called for by the circumstances in which they were placed, you will probably be able to ascertain to your satisfaction from the facts, that the defendants appear not to have directed the irons to be taken off till the Messrs. Kinderdines had given their recognizance before Justice Tompkins for his appearance, and the attempt made by John Chester and the other black man at the billet to take them off, may not improperly be considered as some evidence of the necessity of their imposition.

If in these or any other particulars, Mr. Johnson or his party made use of any unnecessary or wanton violence towards his slave, he became amenable to the laws, but not to the defendants; he was not bound to regulate his conduct by rules they might think proper to prescribe, or to suffer them to be the judges of his rights; he acted at his peril in arresting Jack, and they at theirs in interposing any opposition.

If you believe the evidence the plaintiff has established his right to arrest Jack—proof of his slavery and

owing service to him absolves him from the risk he runs in seizing him—but the same fact which absolves him makes the defendants liable if they have done any act not warranted by law by which the plaintiff has suffered an injury. It is contended that they had a right to arrest the plaintiff and his party when in the act of committing, attempting to commit a felony, or doing an act which might amount to a felony and prevent its commission thereby; and such is undoubtedly the law.

There may be an arrest without warrant by a public officer, or a private person, who sees another commit a felony—or if a felony is known to have been committed, the person committing it may be pursued and arrested;—and when there is only probable cause of suspicion a private person may without warrant at *his peril* make an arrest, 6 Binney, 3 18—19.

A constable may arrest without warrant for a breach of the peace in his presence, and commit the offender to jail for safe keeping, so may a private person for felony, or on an affray which has taken place in his presence, or where an arrest is made on suspicion, 8 S. & R. 49 50. Such is the law of Pennsylvania, which secures the peace of the public, but the law does not stop here; it does not leave the citizen at the mercy of peace officers or individuals—they make the arrest at their peril—in the emphatic language of the late Chief Justice Tilghman. "I say at his peril for nothing short of proving the felony will justify the arrest," 6 Binney, 319—and the present Chief Justice in declaring the right of the constable to arrest in such case says, "There is no danger to the liberty of the citizen in this, for if the arrest and detention be improper, the prisoner can have instant redress by the writ of habeas corpus, and the constable may be punished by indictment or subject to damages in an action of trespass," 8 S. & R. 50.

The law is the same as to the plaintiff; "at the common law a master had a right to take up his runaway servant, and for this, as for any other lawful purpose, might enter peaceably into any house unless forbidden by the owner. Any person with authority from the master might do the same. The domestic authority of masters and parents must be supported as essential to the peace of society, and contributing to a due subordination to the authority of government. Addison's Rep. 325, the acts of assembly do not give, but only enforce this right.

If the person arrested is not a servant or slave, or the person making the arrest has not the authority of the master for so doing, he is in either case liable for the illegal arrest.

You will therefore consider the law as settled, that where an arrest is made without a warrant from a proper officer, the person making the arrest is liable in damages to the party arrested, if he is innocent of the offence with which he is charged, and for which he has been arrested,—though the person arresting may have honestly believed the other guilty; though there was ground for suspicion, or probable cause for the arrest, he is liable to an action for the arrest, unless actual guilt appears. These circumstances will weigh with a jury in reducing damages, but as the arrest turns out to be illegal, it cannot be justified; the reason is obvious, though the public peace requires the speedy apprehension of offenders against the law, it does not authorize the imprisonment of the innocent; from this rule there is no exception, where the arrest is without warrant. If a lawful warrant is directed to an officer, or a private person, and he does not exceed or abuse the authority it confers, he is liable to no action, though the person who is described in the warrant, and arrested, is wholly innocent of the offence charged; this is also an incontestable principle of the law—So that while innocent men are protected in their liberty against arrests, by officers or private persons, on their own authority, the latter are equally protected in the execution of lawful

process. In the one case they act at the peril of the party arrested being guilty, in the other the law absolves them from any responsibility. The law is the same if a constable seizes a person as a runaway servant, by order of one claiming to be his master, he is liable to an action if the person arrested is not his servant; but if he apprehends him on a warrant from a magistrate no action lies against him.

You will then apply these rules of law to the case before you, and enquire whether the plaintiff, and those acting under his authority, committed any felony or breach of peace, in seizing, securing, and carrying Jack to the house of Marple, in Hatborough. The record of their acquittal is conclusive evidence of their innocence of the offences charged in the indictment preferred against them at Norristown, either jointly or severally—you are bound to consider them each and every one as not guilty of any of the matters charged as a felony or offence under the act of Assembly, of March, 1820, or the common law. Independently of this acquittal, if Jack was the slave of the plaintiff, neither he nor the others of the party could be guilty of kidnapping, under that or any other law of the state. So long since as 1795, the Supreme Court unanimously decided that it was no offence, under the seventh section of the act of March, 1788, for a master to arrest his slave forcibly, and carry him out of the state; that the law was intended, and only applied, to carrying a freeman out of the state into bondage, 2 Dallas, 226.

The law of 1820, section 1st, on which the plaintiff was prosecuted, was copied from the law of 1780, and must receive the same construction; its re-enactment, with the full knowledge which the legislature must be presumed to have had of its judicial exposition by the Supreme Court, which had remained unquestioned for twenty-five years, without any alteration, is to be considered as not intended to alter, and as not altering the law on the subject. The rule thus established by the Legislature and Courts of the State, is the rule for our decision both by the 34th section of the Judiciary act, and the uniform decisions of the Supreme Court of the United States; it need not, therefore, be regarded with any jealousy as opposed to the laws, policy or feelings of the State, or the people thereof;—neither do we think it necessary to add any reasons to those given by Chief Justice McKean; 2 Dallas, 226, which has been read by counsel.*

* NOTE 1.—*Charge of the Court to the Jury.*

The severity of the punishment to be inflicted in case of a conviction, (a punishment the same, in its nature, as is inflicted for the most infamous crimes,) ought certainly to induce the jury to deliberate well, before they determine, that the act committed by the defendant constitutes the offence, which is the object of the law. The extravagant operation and extent of the doctrine, on which the prosecution is maintained, ought also to awaken the most serious attention, for it has been contended in effect, that should a traveller bring into this State a negro or mulatto slave; nay, should a tradesman of Pennsylvania have a negro or mulatto indentured servant, who being sent on an errand, loiters away his time in tippling and debauchery, the master cannot forcibly seize and carry the delinquent to another place, either beyond or within the jurisdiction of Pennsylvania, without incurring the penalties of the act of Assembly: if it is intended afterwards to keep and detain the negro or mulatto as a slave or servant. Is it rational to conceive, that any legislative body would have destined for such an act, so grievous a punishment? Again: It has been alleged that the law has made no difference and therefore, that the Court can make none, between a freeman and a slave, provided the injured party is a negro or mulatto. But is it possible that any individual of common sense, that any assemblage of enlightened men should so confound the nature of things, should so pervert the principle of justice, as to suppose, that it is as criminal for a master to carry off his own slave with

We have laid down the law to be, that bail may arrest their principal; this, too, we have done in accordance with the decisions of the Supreme Court of this State—"In the relation in which the several States comprising the Union stand to each other, the bail in a suit entered in another State, have a right to seize and take the principal in a sister State, provided it does not interfere with the interest of other persons who have arrested such principal."—2 Ycates, 264.

the intent to retain him in slavery, as for a stranger to carry off a freeman with the intent to sell him into bondage? Can these actions merit the same degree of punishment?

It is evident however that such enormities are not imputable to the Legislature of Pennsylvania. By the 10th section of the act for the gradual abolition of slavery, (1 vol. Dall. Edit. p. 81.) persons merely sojourning in this state have a right to retain their slaves for a term of six months, and the Delegates in Congress from other States, Foreign Ministers, and Consuls, enjoy that right as long as they continue in their public characters; the succeeding section likewise expressly provides that absconding slaves shall derive no benefit from the law, but that their masters shall have the same right and aid to demand, claim and take them away that they had before. This act of Assembly and particularly these provisions are not repealed by the supplemental act on which the prosecution is founded. Then we find that any traveller who comes into Pennsylvania upon a temporary excursion for business or amusement, may detain his slave for six months and the previous law, (recognized by act of Assembly during that term,) authorizes the master to apprehend the slave, and entitles him to the aid of the civil police to secure and carry him away. By a regulation of this kind the policy of our own system is reconciled with a due respect to the system of other States and countries, while an opposite construction would render it impossible for any American or foreigner to pass with a slave through the territory of Pennsylvania.

It has been said that the words slaves, or servants, which are used in the other provisions of the supplemental act, being omitted in this section, it must be inferred that the Legislature intended to protect the slave or servant as well as the freeman from the outrage contemplated; but, in our opinion, that very omission shows the fallacy of such a construction, for if the Legislature designed to protect freemen and not slaves, they could not in any other way more effectually manifest their meaning. In short, the evil apprehended was that of forcing a free negro or mulatto into another country and there taking advantage of his color to sell him as a slave, and for such an offence the punishment denounced by the law would be justly inflicted.

Upon a review of the facts, likewise, we find occasion to regret that the prosecution should have been conducted with a zeal which rarely appears in the prosecution of the highest criminal on the strongest proof. There is not, however, a tittle of evidence to establish the charge that the defendant seduced the negro, or that he even spoke to him in Pennsylvania where the action of seduction must be committed to vest the jurisdiction in the Court. Nor can it be fairly said that he caused the negro to be seduced, for the advice given to General Sevier was merely the advice of a friend, which could not surely merit the ignominious punishment of the law, and which was not in fact adopted, as the negro was forcibly, and not by seduction, sent out of the State.

But, upon the whole, we were unanimously of opinion, as soon as it was proved the negro was a slave, that not only his master had a right to seize and carry him away, but that in case he absconded or resisted, it was the duty of every magistrate to employ all legitimate means of coercion in his power for securing and restoring the negro to the service of his owner, whithersoever he might be afterwards carried.

Special bail may take up the principal when attending Court, or at any time he pleases—"It has been quaintly said that the bail have their principal always on a string, and may pull the string whenever they please, and render him in their own discharge—4 Yeates, 125. S. P. 3 Yeates, 37." The Court refer to and adopt the law as laid down in England, in the same words, in 6 Mod. 231, in which it is added they may take him even on a Sunday, "and confine him till the next day, and then render him;"—it is therefore the common law of Pennsylvania as well as of England.

We have also stated the law to be that apprentices, redemptioners, slaves and servants who abscond from the service of their masters, may be apprehended wherever they may be found—this we have done not only on the authority of the Courts of Pennsylvania, but of its various laws.

By the act of 1770, yet in force, a fugitive apprentice may be apprehended by a warrant from a Justice, and committed to jail till he will consent to return to his master, or give security to answer his complaint—Purdon, 42. This act was extended to redemptioners in 1820. If any person harbor him without giving notice to his master, he shall pay 20 shillings a day—Purdon, 42. 3.—and the apprentice to serve 5 days for each day's absconding—Purdon, 829.

The act of March, 1780, which declared all issue of slaves born after that day to be free, unless registered according to its provisions, puts negro and mulatto servants, till 28, on the same footing as servants by indenture—1. Dall. 839. 40. sect. 4.

The reward for taking up runaway and absconded negro and mulatto servants and slaves, and the penalties for enticing away, dealing with, or harboring them, are also the same as in the case of servants bound for four years—Sec. 9, p. 841.

It was "provided that this act, or any thing it contained, shall not give any relief or shelter to any absconding or runaway negro or mulatto slave or servant, who has absented himself, or shall absent himself, from his or her owner, master or mistress, residing in another State or country—but they shall have like right and aid to demand, claim and take away his slave or servant as he might have had in case this act had not been made—Sect. 11, p. 842.

This section remained in force till 1826—it was therefore applicable to this case in 1822. It is all important, as evincing the spirit, policy and feeling of the State to be utterly opposed to the *relief* or *sheltering* of absconding or runaway slaves or servants from other States, or considering the masters who come to reclaim them as kidnappers, ruffians, or felons, fit objects for ignominious punishment in penitentiaries. On the contrary, it expressly declares that they shall have right and aid, to demand, claim and take away his slave or servant—and in order that the meaning of this part of the law should not be misunderstood, that the benevolent objects of the legislature, as declared in the preamble, should not be perverted to purposes forbidden by the law, it puts the master on the same footing as to carrying his slave out of the States, as if the law had never been passed. This is language which cannot be misunderstood.

It is due to the character of the State that its own laws at least should be respected in courts of justice, by all who are concerned in its administration—it is our most solemn duty to enjoin it on you to take the law of the land as you see it in the statute books, and enforce it according to its provisions. Remember too that this law is that act which has been the pride of Pennsylvania, as one of the most noble and glorious emanations from the spirit of the revolution, as declared in the preamble, which has been read to you with the most touching force and eloquence.

But you must not take the spirit of the law according to the impulse which operates to rouse the feelings of counsel in the cause of their clients; look on it, examine its enactment not only with a watchful eye, but if you

please, in the plenitude of philanthropic zeal in the cause of oppressed humanity. To relieve the oppressed, rescue the free from bondage, to punish those who violate the rights of man and humanity, to protect our fellow man from injustice, and to secure to all alike the benefit of the laws, are the imperious duties of jurors. In obedience to such dictates we call your attention to the laws for the gradual abolition of slavery in Pennsylvania.

The two first sections are the preamble.

The third declares that no child hereafter to be born shall be a servant for life or a slave. The slavery of children in consequence of the slavery of their mothers, is forever abolished.

The fourth has been noticed.

The fifth direct slaves to be registered before the 1st of November, 1780.

The seventh directs negroes to be tried for crimes and offences like other inhabitants.

The tenth declared all unregistered slaves to be free, except the domestic slaves of members of Congress, foreign ministers and consuls, and persons passing through or sojourning in the State, not resident in it, and seamen not owned in the State or employed in ships belonging to the inhabitants of the state. This is the substance of the abolition act.

The eleventh excepts fugitives, as has been noticed.

This law was explained and amended by the act of March, 1788, which declared all slaves brought into the State by persons residing, or intending to reside in it, to be immediately free—prohibits the taking of the slave out of the State with intent to change his place of residence, or selling him for such purposes, directs the registry of the children of slaves, and punishes kidnapping.

In the spirit of these laws the legislature passed "An act to incorporate a society by the name of the Pennsylvania Society for promoting the Abolition of Slavery, and for the relief of free negroes unlawfully held in bondage, and for improving the condition of the African race." No society was ever founded for nobler objects, or more deserving of public encouragement and approbation; but it was no part of the design or objects, of this benevolent society to protect or rescue runaway slaves from the claims of their masters. It was provided in their charter that their by-laws, rules, orders and regulations enacted, or to be enacted, be reasonable in themselves, and not contradictory to the constitution and laws of the state. Acts of Assembly, pp. 218, 223, A. D. 1789.

So far as has come to our knowledge or information, this society has acted on the philanthropic principles of its institution and none other, never interfering with the rights of property, as secured by the laws, they have not infringed the condition of their charter, but pursued their legitimate objects with untiring zeal. If they have been perverted by any honorary member like Mr. Ellis, by contributing money to employ counsel to prosecute a master for lawfully seizing and taking away his runaway slave, we are well convinced that it has been equally repugnant to the feelings and practice of the members of the society, as it would be to their character.

These laws remained unchanged till 1820 when an act was passed on the subject, the provisions of which need not be particularly recited—the proviso in the second section is however important, "Provided always, that nothing herein contained shall be construed as a repeal or alteration of any part of an act of assembly, passed 1st March, 1780; or of any part of the act of 29th March 1788, except the 7th section which is repealed."

This is the section which prescribed the punishment for kidnapping, and was copied, except as to the punishment, into the first section of the law of 1820.

By the law of 1788, the punishment was a fine of £100 and confinement at hard labor not less than six or

exceeding twelve months, until the costs be paid. 2 Dall. 589.

By the law of 1820, the fine was not less than \$500, or more than \$2,000, to be deemed guilty of a felony and sentenced to undergo a servitude not less than seven or more than twenty-one years, confined, kept to hard labor, fed and clothed as is directed by the penal laws of this commonwealth, for persons convicted of robbery. *Purd.* 653.

The punishment of the first offence of robbery is a servitude of not less than one or more than seven years, and for a second offence not exceeding twelve years. *Act of 1829. Purd.* 821.

On the first conviction of murder in the second degree the punishment is servitude for not less than four or more than twelve years; for the second offence, confinement for life. *Act of 1829. Purd.* 648.

The penal laws of Pennsylvania are just, mild, and humane; her penal code is admired not only in this, but in all the civilized nations of the world. Here punishment is graduated in proportion to the enormity of the offence, and cruel punishments are expressly forbidden by the constitution, as well as excessive fines. *Art. 9, Sect. 13, and by the 8th amendment to the Constitution U. S.*

That offence must be dark and black indeed, which is in the view of the legislature so much more heinous than highway robbery or wilful murder. Can you believe that it was their intention to subject the man who arrested his own fugitive slave by force, with the intention of conveying him to his home in another state, to a punishment greater in a threefold degree than the most aggravated highway robbery, and for a time exceeding by nine years the utmost term of servitude, which a court could for the first offence, inflict on the vilest murderer whose forfeited life may have been spared by the mistaken humanity of a Jury.

Would a wise, just, or humane body of men pass a law which would put on a level the man who reclaimed his own property by lawful means, and the wretch who would drag a freeman into bondage, and arrest as felons of equal grade, a respectable farmer from an adjoining state, with the sordid habitual trafficker in human flesh—the lawful taking of one's own property, with the stealing of a human being.

When the punishment of kidnapping was only a fine of £100, and the extent of confinement only one year, the Supreme Court declared that such enormities were not imputable to the legislature of Pennsylvania; we should do them great injustice not to rescue them a second time from the imputation, when the fine is greatly increased, and the servitude extended not only to seven, or twenty-one times the extent, but directed to be as a felon, and highway robber; law, justice and humanity combine to repel an idea so dreadful. The great and benevolent act for the gradual abolition of slavery did not abolish the distinction between bond and free negroes and mulattoes, the free man and the absconding slave, the master who brought his slave here to reside, and the master who came here in pursuit of one who absconded from him; and when you are invoked to respect the legislation and spirit of the state, you will remember that this consists in obedience to its laws, which expressly declare—That they give no relief or shelter to runaway slaves from other states—that their master shall have a like right, and aid, to demand, claim, and take them away, as if the law for the abolition of slavery had never been passed; and remember too that this law is expressly declared not to be changed or repealed by the law of 1820, under color of which the defendants claim the right to consider the plaintiff as a felon for doing the very act, for which he had a right to aid, help, and assistance by the abolition act, and by which the runaway slave was denied relief or shelter within the state.

While the abolition act put free blacks on the footing of free white men, and abolished slavery for life, as to

those thereafter born, it did not otherwise interfere with those born before, or slaves excepted from the operation of the law; they were then, and yet are, considered as property—slavery yet exists in Pennsylvania, and the rights of the owners are now the same as before the abolition act—though their number is small, their condition is unchanged. The rights of the owners of fugitive slaves to take them to their homes in another state, were as perfect in 1822 as they were before the Revolution—these rights are defined by the abolition act in the most plain explicit terms, without any condition imposed on their exercise. The right was complete and perfect, if there existed between the person seizing and the person seized, the relation of owner and slave, or master and servant, the master or owner might take away his slave or servants to another state or country where he resided, without the consent of the negro, the person with whom he lived, the neighborhood, or the order or warrant of any magistrate. The law was his warrant, his authority, in the execution of which the master had a right to aid, and it is by this law that the rights of the parties in this suit must be tested in this case. If Jack, therefore, was the slave or servant of Mr. Johnson, he was no felon, kidnapper, or ruffian, the act of seizure was lawful; and if the defendants, or any of them, beat, assaulted, arrested, or imprisoned him, or any one acting by his authority, the act was illegal, without the lawful warrant or authority of an officer of the law.

Had the defendants any such authority?

In inquiring into the laws of Pennsylvania, on the subject of the rights and liberties of its citizens, and those of other States, a court who is to decide and instruct a jury upon them according to the law of the land, is not at liberty to overlook that law which is supreme. If the constitution of this State or the Union prescribes rules for the conduct of officers in relation to arrest for crimes or breaches of the peace, we must obey them according to their terms, meaning and judicial exposition, without regard to opinions or treatises delivered or published elsewhere; an examination of rules to be deduced from such sources does not suffice for the faithful discharge of our duties; we at least must search for that law which we must respect and obey, as well as enjoin on your observance.

The 8th section of the 9th article of the bill of rights in the constitution of Pennsylvania declares, "That the people shall be secure in their persons, houses, papers, and possessions from unreasonable searches and seizures—and that no warrant to search any place or to seize any person or things, shall issue without describing them as nearly as may be, nor without probable cause supported by oath or affirmation."

The 4th amendment to the constitution of the United States declares, "That the right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures, shall not be violated, and no warrant shall issue but upon probable cause supported by oath or affirmation, and particularly describing the place to be searched and the person or things to be seized."

The Supreme Court of this state have decided that a warrant for forgery issued by a president of the Court of Common Pleas, on the ground that it appeared to the Judge from common report that there was strong reason to suspect the party charged to be guilty, and that he was likely to depart and retreat to parts unknown, before the witnesses could be summoned to appear before the judge—to enable him to issue a warrant on oath was illegal on the face of it, and a constable not bound to execute it. 3. *Binney*, 43, 4, *Purd.* The first order issued by Judge McNeil was to John Kinderline, without oath, affirmation or any probable cause whatever—on the mere statement made by him, the particulars of which the Judge has been unable to recollect, so as to even state them at the trial for our information—if instead of a verbal direction to bring the Jersey party be-

fore him, he had issued a warrant for the purpose, the legal result would have been the same.

Being in direct violation of both constitutions, utterly wanting every requisite prescribed, this order was, as every warrant or written authority from the Judge would have been, utterly illegal, null and void to all intents and purposes—affording no justification to Kinderdine, to execute it or to any one in assisting him—any act done under such an order is as illegal as if none had been given, and for any injury done to the person or property of the plaintiff, or the others of his party, an action would lie as well against the Judge as all those who acted in pursuance of that order, whether it issued to bring the parties before the Judge to prove the plaintiff's property in Jack, or to answer for a crime or any offence against the laws.

The liberties of our citizens do not depend on such a tenure as an admission of the legality of this order would imply, nor are constitutional provisions for their protection, to be deemed such solemn mockeries as we should make them by justifying the conduct of the defendants in pursuance of it.

You will therefore consider every act done by them or any of them, every assault or offer of force, arrest, confinement, or restraint of the personal liberty of any of the Jersey party, under or by virtue of the order of Judge M'Neil, as wholly without authority of the law and in direct violation of its most solemn provisions.

We now come to the second order of the Judge.

The Judge tells us that he took it for granted, from seeing the Justice and Constable in company, that the Jersey party were in their legal custody, and in consequence of such belief, he suggested the propriety of committing the negro to the County jail, and binding over the other party to prove their property, if they had any. If you believe the statement of the Judge, there can be no difficulty in deciding on the merits of this part of the transaction, taking it in either way. As a compulsory proceeding on the Jersey party to compel them to prove the property in Jack, it was without any authority of law as utterly void as the former order. If it was to detain, confine or arrest them on a criminal accusation, it was unconstitutional, for the want of an oath and probable cause;—there is no evidence of even an accusation made against them in any specific shape, or charging any definite offence; the Judge does not state that any application was made for any process to be issued by him—if he is credited, he gave no order, but only suggested, advised or recommended the course he pointed out.

You will judge from the whole evidence, what was the nature and object of the proceeding before the Judge, and of what he did advise or direct. By referring to that part of the book of Justice Tompkins, which has been read, it seems to have been well understood by him at least, "that it was thought advisable to commit the said Jack to jail for safe-keeping, until the said Caleb Johnson should have an opportunity to prove his property." The recognizance of Mr. John and Justinian Kinderdine, taken on their return from the Judge's on Sunday night, shows their understanding of the matter;—the condition was to deliver the said Caleb Johnson, whenever *his claim is completely established*, or deliver him up at the next Court of Quarter Sessions of Montgomery county, &c. This was the only act of Mr. Tompkins which appears to have been done officially by him that night, of which there is any evidence, unless the setting Jack free under the recognizance was intended to be an official act. As the advice or direction of Judge M'Neil was not pursued by the commitment of Jack, the condition of the recognizance was one which the Judge or Justice had no power or right to impose—the proceeding at the Judge's was wholly illegal, and the detention of the Jersey party that night lawless and unjustifiable.

We now come to the proceedings before the Justice on Monday morning.—According to the account of Mr.

Roney, the constable, no witnesses were examined, no oath or affirmation was administered by the Justice, or any question put to the Jersey party, except whether they had bail; they said they could procure bail if they had an opportunity—the Justice said he must commit them, and took up his pen to write; the constable then said he would be forthcoming for their appearance next morning, and they returned to the Billet. Skillman gave the same account of this part of the transaction at the Justice's.

If you believe this statement, it is the worst part of the transaction; with ample time to proceed deliberately in due form of law, with no crowd or confusion to prevent a full and patient examination, there was no excuse for not strictly pursuing every step required by the law and constitution. The question of Jack's slavery had assumed a definite shape by his admission before the Judge in the presence of Justice Tompkins and the rest of the party; that he was born a slave, and that he had lived with Mr. Johnson as such; he admitted his slavery till he was thirty, when he alleged he was free by the will of Judge Berrian, of New Jersey. The production of this paper then was necessary to make out the truth of Jack's assertion, but it does not appear to have been called or sent for, nor was Jack called on to verify his statement on oath though he was a competent witness against Mr. Johnson, if he was a free man or only a servant for years.

It is a very remarkable circumstance that we have no evidence on this subject except Jack's admission before the judge, that he was not recognised as a witness to appear at court; that though he attended the trial he was not a witness on the indictment, and though now free and residing at a very convenient distance to attend the trial or answer interrogatories—we do not know what he would say on oath, or what account he gave of himself on coming to Mr. Kinderdine's. The entry on the book of Mr. Tompkins describes him as there in the employment of John and Justinian Kinderdine—how long we know not, but if the money he gave to Mr. Ellis at the trial at Norristown was his own, you may presume it was a considerable time—if you take the sum according to Mr. Ellis' evidence there, it was fifty; if according to his evidence now, it was thirty dollars. Jack is now a competent witness to any part of the case—by their not producing or taking his evidence, or examining any witness to show the account Jack gave of himself, or what other reason the defendants had for believing him free, and prosecuting the plaintiff for felony, than Jack's assertion at Judge M'Neil's—you and we must consider it as the only evidence of our consideration on this part of the case. Justice Tompkins appears to have acted on no other evidence of the fact of slavery or freedom, the whole prosecution rested on that fact; if Jack was free the defendants might have been guilty; if he was a slave to the plaintiff, they could not be guilty of kidnapping. There could not be probable cause for the prosecution, unless there was at least some legal evidence of his freedom made out by oath or affirmation. Jack's assertion not under oath or affirmation, was not even the shadow of probable cause—to justify the Justice in committing, arresting, detaining or issuing a warrant for the apprehension of the Jersey party, or any of them. If a warrant issued on no other proof it would have been illegal even for their arrest; a commitment without warrant would have been without any authority; a verbal direction to detain or confine them was equally so.

Does the evidence of Robert Tompkins change the result?

It is your exclusive province to decide on his credibility, you may believe or disbelieve his evidence as you may think proper; but in giving you our opinion as to its legal effect we must consider it as true.

He says that John and Sarah Kinderdine were examined before the Justice, but does not state what evidence was given, and no paper or book containing it was gi-

ven in evidence; this removes one constitutional objection—but it leaves the proceedings open to another fatal one, the want of probable cause on which to issue a warrant or order of arrest. This witness does not state whether any of the other party was present or not. This is an all important matter. The ninth section of the ninth article of the constitution provides, "That in all criminal prosecutions the accused hath a right to be heard by himself and counsel, to demand the nature and cause of the accusation against him and to meet the witnesses face to face.

The sixth amendment to the constitution of the United States provides, "That the accused shall enjoy the right to be informed of the nature and cause of the accusation against him, and to be confronted with the witnesses."

It is therefore incumbent on the defendants to satisfy you that the parties accused before the Justice, were present on the examination of the witnesses against them; if it took place before they were brought before him and was not read to them or information given to them of its substance; or if it was had after they left the office or done at any time, as a color or cover for the proceedings which took place without the presence or knowledge of the accused, it was not only utterly lawless but aggravated by being done under the pretence of conformity to the provisions of the constitution.

As to all the proceedings then of the defendants which took place either for the purpose of taking the Jersey party before the Justice or Judge to prove the property of the plaintiff or to establish a charge of kidnapping; we instruct you without hesitation, that they were without any warrant or authority of law, wholly unqualified and illegal.

We will now inquire whether there was any lawful course to arrest on any other ground.

If Jack was the slave or servant of Mr. Johnson, if he absconded from his residence in New Jersey to this state, he was entitled to neither relief or shelter by the abolition act, it was prohibited by law, to harbor, deal with, conceal, or employ him, without notice to his master, (if known) under a severe daily penalty. The laws of the state recognized him as the property of the plaintiff which he had a right to take away from this state to his residence. The 1st section of the bill of rights in the constitution of Pennsylvania declares, "That all men have the inherent and indefeasible right of enjoying and defending life and liberty, of acquiring, possessing and protecting property." "That no man can be deprived of his liberty or property but by the judgment of his peers, or the law of the land." Sect. 9.

That the right of citizens to bear arms in defence of themselves and the State shall not be questioned. Sect. 21.

The second section of the 4th article of the constitution of the U. S. declares "The citizens of each state shall be entitled to all privileges and immunities of citizens in the several states."

The 10th section of the 1st article prohibits any state from passing any law "which impairs the obligation of a contract.

The second amendment provides, "that the right of the people to keep and bear arms shall not be infringed."

The sixth, "that no man shall be deprived of liberty or property, without due process of law."

In addition to these rights Mr. Johnson had one other important one to which we invite your special attention and a comparison of the right given and duty enjoined by the constitution of the U. S. with the eleventh section of the abolition act of 1780.

"No person held to serve or labor in one state under the laws thereof escaping into another, shall in consequence of any law or regulation be discharged from such service or labor but shall be delivered up on claim

of the party, to whom such labor or service shall be due." 4th Art., Sect. 2, clause 3.

Pursuant to this provision of the Constitution, the act of Congress of the 12th February, 1793, was passed, not to restrain the rights of the master, but to give him the aid of a law to enforce them. This law has been read to you, together with the opinion of our respected predecessors, in the case of *Hill vs. Law*, to which we give our entire assent, so far as it affirms the unqualified right of the master to seize, secure and remove his fugitive slave.* Do you perceive in this any thing discordant with the feelings, the spirit, the policy, or the legislation of Pennsylvania, as manifested in the abolition act, or the one passed to amend and explain it. Do these constitutional and legal provisions give any right to the plaintiff, or enjoin any duty on others, which are not the fundamental principles of her own laws, as acted on and enforced in her own Courts, as of paramount and supreme authority. If you have any doubt, here is the opinion of one of the most humane and benevolent Judges who ever presided in any Court, the late Chief Justice Tilghman, in delivering the opinion of the Supreme Court of this State—*Wright vs. Deacon* 5, S. & R. 63.

"Whatever may be our private opinions on the subject of slavery, it is well known that our Southern brethren would not have consented to have become parties to a constitution under which the United States have enjoyed so much prosperity, unless their property in slaves had been secured. This constitution has been adopted by the free consent of the citizens of Pennsylvania, and it is the duty of every man, whatever may be his office or station, to give it a fair and candid construction." After referring to the constitution, he observes—"Here is the principle—the fugitive is to be delivered upon claim of his master." But it required a law to regulate the manner in which this principle should be reduced to practice. It was necessary to establish some mode in which the claim should be made, and the fugitive be delivered up." He then recites the act of Congress, and continues—"It plainly appears from the whole sense and tenor of the constitution and act of Congress, that the fugitive was to be delivered up on a summary proceeding, without the delay of a formal trial in a Court of common law. But if he had really a right to freedom, that right was not impaired by this proceeding—he was placed just in the situation in which

* NOTE 2.—*Extract from the charge of Judge Peters in Hill vs. Law.*

To carry into effect the constitutional provisions on this subject, the Act of Congress of February 12th, 1793, was enacted. This act empowers the person to whom a fugitive from labor or service is due, his agent or attorney "to seize or arrest such fugitive from labor, and to take him or her before any Judge of the Circuit or District Courts of the United States residing within the state, or before any Magistrate of a County, City, &c. wherein such seizure was made, and on proof of owing service to the claimant, either by affidavit or other evidence taken before a Judge or Magistrate of the state from which the fugitive escaped, the Judge or Magistrate of the state in which he or she is arrested shall give a certificate thereof to the claimant, his agent or attorney, which shall be a sufficient warrant for removing such fugitive."

By this it clearly appears that the claimant, his agent or attorney, has the authority of this law to seize and arrest without warrant or other legal process, the fugitive he claims, and that without being accompanied by any civil officer, though it would be prudent to have such officer to keep the peace. Whilst thus seized and arrested, the fugitive is as much in custody of the claimant, his agent or attorney, as he would be in that of a sheriff or other officer of justice, having legal process to seize and arrest, who may use any place proper, in his opinion, for temporary and safe custody.

he stood before he fled, and might prosecute his right in the State to which he belonged."

This is in the spirit of the law, policy and feeling of Pennsylvania, as declared by the Supreme Court, and if the acts and proceedings of inferior Courts and Judges in opposition to the rights of the owners of fugitive slaves are quashed as illegal, of what nature must be the lawless conduct of individuals, who, by an assumed authority, undertake to obstruct the execution of the Supreme law of the land? The Supreme Court declares that the Constitution of the United States would never have been formed or assented to by the Southern States, without some provision for securing their property in slaves. Look at the first article, and you will see that slaves are not only property as chattels, but political property, which confers the highest and most sacred political rights of the States, on the inviolability of which the very existence of this Government depends.

The apportionment among the several States comprising this Union, of their Representatives in Congress.

The apportionment of direct taxes among the several States.

The number of electoral votes for President and Vice President, to which they shall respectively be entitled.

The basis of these rights is—"according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians, not taxed, *three-fifths of all other persons.*" So that for all these great objects, five slaves are, in Federal numbers, equal to three freemen. You thus see that in protecting the rights of a master in the property of a slave, the Constitution guarantees the highest rights of the respective States of which each has a right to avail itself, and which each enjoys in proportion to the number of slaves within its boundaries.

This was a concession to the southern states; but it was not without its equivalent to the other states especially the small ones—the basis of representation in the Senate of the United States was perfect equality, each being entitled to two senators—Delaware had the same weight in the Senate as Virginia.

Thus you see that the foundations of the government are laid, and rest on the rights of property in slaves—the whole structure must fall by disturbing the corner stones—if federal numbers cease to be respected or held sacred in questions of property or government, the rights of the small states must disappear and the government and Union dissolve by the prostration of its laws before the usurped authority of individuals.

We shall pursue this subject no further in its bearing on the political rights of the states composing the Union—in recalling your attention to these rights which are the subject of this controversy we declare to you as the law of the case, that they are inherent and unalienable so recognised by all our fundamental laws.

The constitution of the State or Union is not the source of these rights or the others to which we have referred you, they existed in their plenitude before any constitutions, which do not create but protect and secure them against any violation by the legislatures or Courts, in making, expounding or administering laws.

The nature of this case, its history, and the course of the argument call on us to declare explicitly what is the effect of a constitutional protection or guaranty of any right or the injunction of any duty. The 26th section of the bill of rights in the Constitution of Pennsylvania, is in these words "To guard against transgressions of the high powers we have delegated, we declare [we the people of Pennsylvania,] that every thing in this article is excepted out of the general powers of government and shall for ever remain inviolate." A higher power declares this constitution and the laws of the United States which shall be made in pursuance thereof, shall be the supreme laws of the land, and the Judges in every state shall be bound thereby, any thing in the

constitution or laws of any state to the contrary notwithstanding, 6 act, 2 clause const. U. S."

An amendment of the constitution is of still higher authority, for it has the effect of controlling and repealing the express provisions of the constitution authorising a power to be exercised; by a declaration that it shall not be construed to give such power. 3. Dall. 382.

We have stated to you the various provisions of the constitution of the United States and its amendments as well as that of this state; you see their authority and obligation to be supreme over any laws or regulations which are repugnant to them, or which violate, infringe or impair any right thereby secured; the conclusions which result are too obvious to be more than stated.

Jack was the property of the plaintiff, who had a right to possess and protect his slave or servant, whom he had a right to seize and take away to his residence in New Jersey by force, if force was necessary, he had a right to secure him from escape, or rescue by any means not cruel or wantonly severe—he had a right to carry arms in defence of his property or person, and to use them if either were assailed with such force, numbers or violence as made it necessary for the protection or safety of either; he had a right to come into the state and take Jack on Sunday, the act of taking him up and conveying him to the Billet was no breach of the peace if not done by noise and disorder, occasioned by himself or his party—and their peaceable entry into the house of Mrs. Kinderdine was lawful and justifiable, for this purpose in doing these acts they were supported by laws which no human authority could shake or question.

The power of the state was incompetent to impair the obligation of the contract of purchase from Rowley and Berrian, or to discharge Jack from the service of his master; he could not be impeded in the prosecution of his lawful pursuit, or restrained of his liberty without the commission of an offence and process of law.

Did they commit any breach of the peace?

Joseph Kinderdine proves he was in the house when they entered and took Jack, he heard no noise, and did not see them enter—he informed his uncle of what had happened, came with him and his aunt to the wagon, but does not recollect what was said.

Sarah Rakestraw testifies she heard Issachar ask them to prove their property, to which they replied, to stand off, and if he resisted they would blow him through—if this witness is credited, it shows the use of language rude and rough; but it did not amount to a breach of the peace without an offer to use an offensive weapon, or proof of some act done. Had such offer been made when Mr. Kinderdine was doing any act which interfered with their rights, they would have been justified in using as much force as was necessary to enable them to proceed in their lawful business—his demand of proof of property was unauthorized, if the law gave him this right he would also have the right to judge of its sufficiency; but he was acting in his own wrong in making the demand, and they were under no obligation, legal or moral, to exhibit their papers, and submit to an examination by him in the highway. A request, at a proper time and place, and under circumstances where there would be any probability of a candid and impartial attention to legal evidence, respect for the rights of property, or the laws of the land, would if refused rudely have indicated a disposition on the part of the Jersey men extremely reprehensible, and put their refusal on a very different footing from that in which it appears by the evidence of Miss Rakestraw; though even in such case they would not have been compelled by law to show their property or authority, yet rude conduct or language would have tended much to have palliated any excitement or violence which followed a refusal to accede to a proper request. On this subject there is much weight in the remark of the defendant's counsel, that there is a social law, a law of decent respect for the opinion of others,

which ought not to be overlooked in the assertion of right—but it is most certainly a gross violation of this social law, to rudely demand as a right that which ought to be conceded only to courtesy of manner, and propriety of time, place, and circumstance.

The next act of the Jersey party which is complained of, is the threat to blow out the brains of Isaacar Kinderdine, when he either had seized, or was about to seize one of their horses by the head, for the purpose of stopping them in the road, near the meeting house. At this time there was a crowd of some 20 or 30 about the wagon, and shortly after the plaintiff was struck in the head with a stone.

Under such circumstances, a demand to prove property or to stop, was most unseasonable and improper, any attempt to stop them was unlawful, and would have justified the repelling such an attempt by as much force, and with such weapons as would be necessary to their safe passage to the Billet; what was said or done by them was no breach of the peace, or other offence, which in any manner justified their arrest or detention, 5 S. & R. 301.

It would be a severe reproach on the laws of the state if any of the acts testified to have been done by the plaintiff or his party could be deemed a crime or offence, it is our duty to say to you that in point of law they were guilty of neither; their conduct did not expose them to any other notice of the law than possibly the fine for doing worldly business by the mere seizure of Jack on the Sabbath. If that had been the only offence imputable to them by the defendants, you may be inclined to think with us that the Jersey party were not the only persons who were exposed to the penalty—it may well be doubted whether it was a work of necessity, mercy or charity, to proceed further on that day than was done by the defendants before the Jersey party and the crowd reached the Billet.

At any rate, travelling on Sunday does not fall within the legal description of worldly employment or business, or any offence within the law cognizable by a magistrate, 5 S. & R. 301—as going from Mrs. Kinderdine's to the Billet.

The next inquiry is whether the plaintiff has been assaulted, beat, or imprisoned by the defendants, or either of them, and by whom. An assault is an offer to strike, beat, or commit an act of violence on the person of another, without actually doing it, or touching his person.

A battery is the touching or commission of any actual violence to the person of another in a rude or angry manner.

Imprisonment is any restraint of the personal liberty of another; any prevention of his movements from place to place, or his free action according to his own pleasure and will; a man is imprisoned when he is under the control of another in these respects, or either of them against his own will.

It is false imprisonment when this is done without lawful authority, and such imprisonment is deemed an assault in law, though no assault in fact is made; the one includes both offences, the act being unlawful. In actions for injuries of this kind, all parties who are proved to have taken any part in the assault, battery or imprisonment, are principals, and answerable for all acts done by themselves or by any others concerned in the transaction, by their order, consent, or procurement; or in pursuance and furtherance of an object or enterprise in which they have all engaged, and which is illegal. If two or more agree or combine to effect an unlawful purpose, each one of the party is civilly answerable for all acts done in or leading towards the accomplishment of the joint object, directly connected with it or naturally consequential. If the object and purpose is entered upon and commenced by the parties concerned, and other individuals, or a crowd assembled in consequence, and consummate the act or join in its execution; the original parties are responsible for their con-

duct, though the immediate actors may be unknown to them, or have no other concerted agreement or connection with them, than by the unlawful acts committed, intended or tending to effectuate the original object and purpose.

If a man does an unlawful act, apt or likely to do an injury to some person, and an injury is actually caused thereby, it is immaterial by what intermediate hand it is inflicted, the first wrong doer is directly answerable to the injured party as the immediate trespasser; as where a man threw a lighted squib into a crowded market house, it was thrown by one and other, till it struck a person, and put out his eye—the man who first threw the squib was made answerable, 3 Wils. 407. So is the law where one man publicly and unjustly charges another with the commission of an offence or crime of which he is innocent, and an injury is inflicted on him by an excited crowd.

It is more dangerous than the squib, because more apt to be attended with fatal consequences, and no cry would be more exciting in Pennsylvania, in the most orderly community, than that of kidnapping.

You will then understand the law to be well settled, that it is not necessary to bring home to any of the defendants, the definite act which has caused the injury; the law fastens the consequences of any illegal act upon them, which they have, in any manner as before mentioned, directly or indirectly, done, brought about or caused.

Their mere presence, however, when the act is committed, does not make them accountable for it, without some participation on their part, or exciting, directing or encouraging it—there must be some evidence of their acting, or causing others to act. If they take any part you may consider any or each of them who do so, answerable for all that is done, unless you are satisfied that this interference was unconnected with the original and principal purpose.

If an illegal act is done under color of legal authority or process, from an officer who had no jurisdiction of the subject matter, or whose order or process is made or issued in violation of the law, the Judge or Justice, and party procuring it, are trespassers, so is the officer and all who act under him, if the process is void on the face of it, 10 c. 76, and his who procures such order on false pretences, is the most aggravated case. It is not necessary to constitute false imprisonment, that the person restrained of his liberty should be touched or actually arrested, if he is ordered to do or not to do the thing, to move or not move against his own free will, if it is not left to his own option, to go or stay where he pleases, and force is offered or threatened, and the means of coercion are at hand, ready to be used—or there is reasonable ground to apprehend that coercive means will be used, if he does not yield. A person so threatened need not wait for its actual application. His submission to the threatened and reasonably to be apprehended force, is no consent to the arrest, detention or restraint of the freedom of his motion—he is as much imprisoned as if his person was touched, or force actually used; the imprisonment continues until he is left at his own will to go where he pleases, and must be considered as voluntary, till all efforts at coercion or restraint cease, and the means of effecting it are removed.

On the part of Mr. Tompkins, it is contended that the plaintiff has failed in his action as to him, for want of the notice required by the act of Assembly which has been read, Purd. 492.

This act applies to all official acts of a Justice of the Peace, and must be liberally construed so as to give them the full benefit of the protection intended by the notice. Though the act done is prohibited by law, and a penalty imposed, as for marrying a minor without the consent of his father, 5 Blinn. 24, or arresting a party by warrant for an act which is no offence, as travelling on Sunday, or if in the honest exercise of his jurisdiction, he

Judges erroneously of the legal character and consequences of an act done, and treats as an offender, a person who has committed no crime, 5 S. & R. 301, 2, he is entitled to notice. On the other hand, if he acts from improper motives, in a case where he had no authority to act at all, or in the manner in which he did act, he will be deemed to have acted merely under the color or pretence of his office, and not by virtue of it, and no notice is necessary. Nor if he took any part in this proceeding without intending to act as a Justice of the Peace in his official character, or did or directed any act to be done, in a matter whereof he had no jurisdiction. He must be clothed with official power to do the act officially, so that he is authorized to judge and decide whether the offence charged has been committed, or whether the thing done is punishable or within his cognizance—if he judges honestly, however mistakenly or ignorantly, he is entitled to notice in all such cases, though he cannot be justified in doing the act.

But if some things are indispensable to bring his official power into action, and those things appear not to have been done, his acts are null and void, and cannot be official; as issuing a warrant of arrest in a criminal accusation, without probable cause, supported by oath or affirmation—the power to do this is expressly excepted from all the powers of the government, by the bill of rights of Pennsylvania, and the amendment to the constitution of the United States.

No act can be by virtue of office, which the power of government is incompetent to authorise; it must be taken to be by the mere color of office, and no notice is necessary, whatever his motives or intentions were. It is for you to decide on all the evidence in the cause applicable to Mr. Tompkins—how he acted in any of the scenes which occurred, you will consider him as any other defendant, as to all matters over which he had no official power to act, or in which he did not intend to act officially—you must find in his favor, if all his acts to the injury of the plaintiff were official.

These are points of law which furnish the rules for the decision of this case; you will apply the evidence you have heard to ascertain the facts as they bear on each defendant.

In contrasting the conduct of the respective parties, you can decide which has acted within and under the authority of the law, and which has violated it; if the evidence has made the same impression on your minds as on ours, there cannot be a doubt that the defendants have inflicted injuries on the plaintiff for which he is entitled to redress at your hands. If the rights with which he was clothed by the supreme law of the land, are to be neither respected or protected, you or we cannot be protected in its administration; our powers are derived from the laws and constitution of the State and Union; his are from the same source and authority, and from one source higher than either. That power which can at its pleasure alter and rescind any of the provisions of the constitution itself, by a constitutional amendment; by that power Caleb Johnson is invested with and guaranteed in the enjoyment of rights which can be neither infringed or impaired by all the power of the state or general government so long as the supreme law to which they are subordinate is obeyed. And shall it be permitted to individuals acting under the impulse of their own feelings and passions to do what is forbidden to the legislative power of the country, with no other check on their actions than what they may call the social law of the place, or public opinion? This case illustrates the effects of indulging that false philanthropy which prostrates the law and the constitution in its zeal against slavery; as we remarked to you before, it extends not merely to make the slave free, but freemen slaves. The plaintiff and his party were denied the use of a bed, and this by zealots in the cause of humanity and benevolence.—What would have been said of Mr. Johnson if he had refused Jack a place, and means of rest and sleep—

and it is to sanction such philanthropy that laws are to be disregarded, not only to justify the defendants in attempting to liberate Jack, but forcing his master from place to place as a criminal, prosecuting and now denouncing him as a felon. Though he offered manumission to his slave on the first night, and has since executed it, the defendants did not then, nor do they now, relent, even after the full investigation which the cause has undergone.

We had hoped that they would have offered some circumstances of mitigation or excuse, which would have made the question for your decision one of mere compensation to the plaintiff for the injury he has actually sustained, without giving any thing in damages by way of public example, to prevent future outrages against the laws and the constitutional rights of citizens of the United States. We very much regret that by justifying their whole conduct, and boldly making the issue before you one of right, there is but one mode left to you by which you can meet your duty to the parties and the country.

If there are any rights of property which can be enforced, if our citizens have personal rights which are made inviolable under the protection of the supreme law of the state, and Union, they are those which have been set at naught by some of the defendants. As the owner of property—which he had a perfect right to possess, protect, and take away, as a citizen of a sister state, entitled to all the privileges and immunities of citizens of any other states, Mr. Johnson stands before you on ground which no law can take from under him—it is the same ground on which the government is built. If the defendants can be justified in what they have done, we have now longer law or government—and if the personal liberty of the citizens can be thus violated with impunity, there remain to us no rights worth protecting.

The political aspect of public affairs cannot be overlooked when a Court and Jury are called on to decide on constitutional questions. The country has happily passed through some exciting and painful scenes, threatening its peace. No one can tell what danger may be impending over us, or how imminent it may be—but it is certain that there is much cause for vigilance in all those concerned in the administration of the law of the land, in enforcing its provisions; and by punishing all infraction, in such a manner, that it shall be in its operation, as well as in its name, supreme—the only test and standard of right and wrong.

As citizens of Pennsylvania and the United States, it now rests with you to pass upon the rights in controversy between these parties; they are of the highest importance to every man in the community, and to the whole country, as affecting its deepest concerns.

The question of damages is exclusively with you—though the defendants have not given in evidence or urged by their counsel, any matters in extenuation, we cannot help remarking that they appear to be respected in their neighborhood; they are members of a society distinguished for their obedience and submission to the laws; than whom none other is more meritorious in their charity, benevolence and exemplary good conduct in all the relations of life. By what motives they were actuated towards the plaintiff, who never injured them or theirs in the pursuit of his property, is hard to imagine—it would seem that they were impelled by some cause not disclosed in the evidence or argument of the cause—some spirit or tone in public opinion; the temper of the times, some erroneous impressions of the policy of the law of 1820, or mistaken advice on its construction. This, however, is left to mere conjecture, as we are not authorised by the defendants to place their conduct on this footing, the case must be left to you on the question of right, according to the laws and constitution, as they have been shown to you, and on the question of damages, as you shall think the justice of the case demands.

THE FIFTH ANNUAL REPORT OF THE
HOUSE OF REFUGE OF PHILADELPHIA.

To the Contributors of the House of Refuge, the Managers respectfully submit the following report:

In coming before the contributors and community with their annual report, the President and Managers of the House of Refuge have the satisfaction to say, that the institution continues to fulfil the benevolent purposes for which it was established, to an extent quite commensurate with their reasonable expectations. From the opening of the House to the present time, there have been received 537 of both sexes; that is to say, of males 391, and of females 146. Of this number, 190 have been bound out to some respectable occupation;—158 have been discharged; 23* absented themselves from the institution, 3 have died, and 163 remain at present in the House.

During the year just ended, there have been admitted 123; to wit, males, 82; females, 41. There have been bound out, 72; discharged, 34; absented themselves, 4;—and 163 remain in the House. Of those bound out, the accounts have in general been very favourable. Some of the numerous letters received will be found in the appendix, and will be read with great interest. Upon this point, the managers have always bestowed the most anxious attention, endeavouring, in the first place, to procure suitable places for those who were prepared for binding out; and, in the next, to keep open a communication through which they might be informed of the conduct and habits of the youth thus provided for, as well as be assured that justice was done them by their employers. They have endeavoured in this way to acquit themselves of their trust, by leading on the children committed to their care, until they reach the period of life when, under Providence, they must take charge of themselves, and be fully responsible for their own acts and omissions. We are all well aware, however, of the vast importance of the condition in which they are found at the moment when they are launched upon the tempestuous ocean of the world. A thoughtful parent, with all the means that wealth and position can give him, still looks with deep solicitude to this stage in his offspring's career, and trembles at the suggestion that his hand can no longer control for protection and guidance. The hope he has—so far as merely human calculation is concerned—rests upon the past—upon the care that has been applied to form a healthy moral constitution, capable of resisting the assaults of temptation, and strong enough to keep the line of rectitude through the stormy and disturbing influences by which we are continually assailed. What, then, is to be expected from the manhood of one, whose walk, almost from his cradle, has not only been neglected, but has been continually in company with unimproved vice? The case is often even worse than this. Crime is positively taught and encouraged, and the child receives no other counsel or advice than what is necessary to produce hardness and dexterity in criminal achievement. If, in his progress to a highly accomplished depravity, the unhappy pupil is thrown into a prison, it is only to be hurried forward in vicious attainment, with an accelerated rapidity. A day in the company of hardened offenders, such as he will meet with there, may do the work of months, in teaching him the various arts which a bad experience has discovered for the commission of crime, and infusing a feeling of admiration and respect for the lawless address and courage employed in its perpetration. The boasted heroism of wicked audacity is looked at, without perceiving its deep shade of infamy, until it becomes absolutely attractive, and the feeble child is won by the meretricious lustre of the serpent's eye, unconscious

that he is to be folded at last in the embraces of a filthy and insatiable reptile.

That society has an interest in the preservation of the young, is too plain to require to be urged upon an intelligent people. That there is a duty of humanity connected with this interest, every one is ready to admit. In every community that has any claim to civilized character, there are institutions of some kind for the support of indigent and destitute children, that they may not perish for want. When unusual calamity suddenly enlarges the number of the helpless, charity multiplies and adapts her means of relief, as we saw an asylum rise up during the last summer, for the reception of the orphans whom pestilence had deprived of their parents, and the offices of humanity associated in their performance with all that is beautiful in female sensibility and grace.

But it had long escaped observation, that while thus providing as was fit for the claims of extreme infancy, there was a period of life in which guidance and support were also wanted, and that instead of making provision to afford them, the institutions of society were positively tending to aid the work of destruction. As a consequence, juvenile offenders were increasing at a rate that was truly appalling; and it was the consideration of this important fact, which directed attention to the peculiar claims of this description of our fellow-creatures, and to the treatment suited to their conditions. They are offenders—but they are youthful offenders. They are less accountable, from the weakness of their understanding. They are more reclaimable, because they are yet in a state to receive impression, and to be fashioned according to the example and the counsels presented to them. If it be true, on the one hand, that, left to the influence of bad association co-operating with their own headlong passions, they will grow into the stature of hardened profligacy, ruinous to themselves, and dangerous to society, so, on the other, it is certainly true that, with proper culture and discipline, they may be formed into industrious and useful citizens. The distinction here adverted to, is founded in nature, is supported by experience, and has the express sanction of the Scriptures of truth. Among adults, even those who are the subjects of criminal infiction, there are degrees of wickedness, undoubtedly, one surpassing or falling short of another in the extent of his profligacy. But, in general, they may be considered as having one characteristic, which marks them as a class, separated from the rest of society, and at war with its peace and welfare. It is the *habit* of doing wrong, more or less confirmed, but sufficiently fixed to have become as it were a part of their nature, and to require to be eradicated before any hope can be entertained of their improvement. In them, it is strictly a work of reformation. It is the recovery of those who are lost, which is sought after, in all the humane and benevolent exertions that are made to better their condition. And certainly, such exertions are in the highest degree praiseworthy, and though they may encounter many difficulties and discouragements, ought never to be abandoned. To endeavour to engraft upon the system of punishments required for the security of society, an abiding and operative recollection, that the unhappy subject is still related to us as a fellow-creature, and as such entitled to some portion of regard, is one of the plainest suggestions of humanity, though, practically, long unheeded. The time has been—nor is it yet beyond the memory even of the living—when a culprit, of whatever grade, seemed only to be an object of fierce resentment, against whom were let loose the vindictive passions of mankind, to be indulged by the infiction of unmitigated shame and suffering, without any concern as to the consequences to the prisoner. A better philosophy, under the influence of Christian charity, has succeeded, and the management of prisons, the treatment of prisoners, and the obligations of benevolence which are due to them notwithstanding their follies and

*The escapes were chiefly before the buildings were completed.

their crimes, are deemed worthy of continued and earnest attention. It is, indeed, among the highest honours of Pennsylvania to have led the way in this career. It is also very honourable, that she still perseveres in her efforts, adopting every suggestion which experience or just deliberation seems to sanction, and clinging to the hope that improved methods will at last succeed in making a penitentiary a place of purification, where evil habits may be broken, and proneness to crime give place to an honest and virtuous disposition. That these her efforts may be crowned with success, is the anxious desire of every philanthropist.

Juvenile delinquents, it must be obvious, and especially those of comparatively tender age, cannot, in general, be said to have acquired *habits* of crime. They are in the way to acquire them. Their first offences are to be considered as evidence that they have yielded to temptation, have been led astray by bad example or by evil counsel, or have wandered from the right path because they were not steadied and directed by the support and guidance which a child always needs. They are evidence, too, that such offenders are without the aid of suitable control from parents or friends, and exposed to the mischiefs of bad association and pernicious example, and that, finally, if not arrested in their course, habits will be formed, and fastened upon them by the time they arrive at manhood, which will be sure to subject them to the experiment of the Penitentiary, and to burthen society, first with their depredations, and then with the expensive and uncertain process of their correction, and reformation. The natural remedy would seem to be a plain one, sanctioned no less by a wise policy, than by considerate benevolence. Their destitution at an age when the institutions of every civilized community admit that they stand in need of direction and control, and the evidence from their misconduct that this destitution is incompatible with their own welfare and the welfare of others, brings them under the power of society, whose right it is, for its own security, as well as for theirs, to assume their guardianship, when they have no other, and rescue them from the dangers so manifestly incident to their condition. The object is not to punish, but to save.

Nothing can be more desirable than that this subject should be calmly, but carefully and accurately, considered in all its bearings, and that the principles upon which the Refuge is founded should be thoroughly and universally understood. We are persuaded that nothing more is necessary to give it a firm establishment in public opinion, and remove whatever prejudices may remain. Under this persuasion, we are induced here to make a remark, tending to confirm the distinction already adverted to, and to point out more strongly the peculiar character of the House of Refuge. The confinement of an adult in a prison for an offence committed is always attended with reproach. It fixes a stigma upon his character, sufficient in general to exclude him from honest association and employment. Who will receive into his service, or his company, a man that issues from the Penitentiary, with the stains of the prison upon him? The children from the Refuge are not thus marked. They are bound out from the House, without difficulty, to respectable masters, who receive them into their service in honest occupations, and place them upon a footing with their other apprentices. And this they do, with a full knowledge that they are from the Refuge, for the fact is apparent upon the indentures themselves, and is the very ground of the binding. They hold the apprentice under a binding by the House of Refuge.

It is true that in the exercise of their power of binding, the Managers always act under a sense of conscientious obligation to the persons they contract with, and do not bind out an inmate till they feel reasonably assured, from his conduct and improvement under their care, that he is in a fit state to be received by a master. If (as sometimes happens,) they find that a boy is incorrigibly vi-

cious, they do not bind him out. The value of any assurance the Managers are thus able to give, must be founded, it will at once be perceived, upon the belief, that the original commitment is no conclusive proof of bad character, and that careful training in the House, has had the effect of producing a visible change of deportment, which may be relied upon to continue, if he be properly governed in his new employment. Let the same hypothesis be applied to adults in a prison—that is to say, that their deportment in prison has been satisfactory to those set over them. What would be the value of such an assurance, in the estimation of those who might be asked to employ them?

This, then, is the natural judgment of mankind upon the subject. However the reasons of it may be analyzed, the result will still be the same, that is to say, a tacit but universal confession that there is an essential difference in the cases, so great as to lead to conclusions directly opposite, and to place the infant object of confinement and care, upon a totally distinct footing from the adult criminal, who has suffered the penalty of imprisonment for offence. We should be inattentive to the teachings of nature, if we did not understand the lesson thus conveyed. It plainly tells us, that the Refuge is not a prison—is not, properly speaking, a place of punishment, nor its administration in any sense vindictive. The purpose of the establishment is essentially parental; and though it employs coercion and restraint, irksome it may be to the inmates, and against their will, it does so for their own benefit, not in a measure proportioned to their offences, or graduated by the degree of criminality, as a punishment, but to an extent adapted to their exigencies, and sufficient to save them from destruction. It finds the fulfilment of its whole design, in seeking to prepare them for a manhood of industry and usefulness, with which there shall never be associated any recollection of having suffered a penalty for crime, or endured the shame and contamination of a prison.

As a place of confinement, the Refuge affords to society all the security which confinement alone can give. It is not to be denied, that where a capability of doing mischief has been manifested, together with a propensity to exert it, restraint is indispensable, whatever may be the age of the person in whom it is disclosed. Society must be protected from depredation. Until this establishment was formed, protection was afforded (if at all,) by commitment to prison. Confinement in the Refuge, it must be admitted, is equally effectual for the purpose of present security. There is no difficulty, indeed, in proving that it is much more effectual. Every one who is conversant with criminal proceedings, is aware of the difficulty that is experienced in executing the laws against juvenile offenders. The natural repugnance that is felt to their imprisonment, resists a prosecution at every step. The injured party refuses to prosecute—witnesses hold back—the magistrate endeavours to avoid commitment—and when, at last, these difficulties being overcome, the case is brought to trial, judges, jurors, and bystanders are affected by sympathy for the accused, and concur in seeking for him the means of escape. It thus happens, that of the many who offend, few are subjected to punishment. They are suffered to run at large, with an assurance of impunity which co-operates powerfully with other causes to urge them on in a career of crime, until at length their audacious and repeated misconduct becomes too offensive to be endured. Against the Refuge, no such repugnance is felt, because its character is entirely different from that of a prison, and, therefore, there is no hesitation in taking measures against youthful delinquents, because it is known that they will there be in safety, and treated as the general sense of mankind agrees that they ought to be.

The greater efficacy thus given to the administration of the laws, is but a small item, however, in the aggregate of advantages which the establishment is capable of conferring upon society. A prison makes a deep and

dark stain upon those who enter its doors as criminals. They seem to be marked by it as a degraded caste, separated from the honest portion of the community, and condemned to the association and pursuits of the unworthy. They feel themselves to be so degraded, and as a consequence become desperate and hardened, preying upon others with increased wickedness, until they are again arrested and committed. Their way of life becomes measurably determined, and their lot is with the miserable outcasts whose reprobate character is summed up in the denomination of convicts. It may be that there are some exceptions. It is to be hoped that under an improved system of prison discipline, they will be more numerous. But, in general, the case is such as has now been stated.

A residence in prison, besides the shame and reproach it fastens upon its tenants, is very well calculated to quicken the growth of vicious propensity. Among the abandoned occupants who are there collected, and each of whom has earned his title to reside, by the commission of crime, it is not at all extraordinary that so great a perversion of reason should occur, as actually to place the point of honour upon superior boldness and address in criminal enterprise. A school of vicious instruction is thus formed, the pupils in which, especially those of tender age, are sure to come out worse than they went in. They become the most dangerous offenders, costly for their depredations when at large, and costly for their support when they are confined.

From this root of wide spreading mischief, also, the Refuge is free. The inmates of the establishment are not associated with the experienced and aged offenders, nor placed in the way to receive vicious instruction. On the contrary, every care is taken to cultivate their morals and train them into habits of honest industry, and, if possible, to efface every bad impression that may have been made upon them before they came into the House. The contrast, in this respect, is a decided one.

Looking only to the welfare of society, without regarding the welfare of the inmates, it will thus occur to every one who will bestow a single moment's reflection upon the subject, that the public security is promoted to the whole extent of the supply of matured and formidable offenders which the establishment of the Refuge proposes to cut off. But if we add to this a reasonable consideration of the duty that is owing to the children of poverty on their own account—of the more than probability that some, nay, that many, by the application of judicious care, at a moderate expense, may be saved from a life of infamy, terminating most commonly in premature death—may be instructed in the truths which concern their temporal and eternal happiness—may be formed into habits of honest industry, and qualified to become useful and respectable citizens, instead of being a burthen and a curse to themselves and to others—surely it cannot be a question in a civilized and Christian community, whether such an institution ought to be maintained.

By the law of incorporating the House of Refuge, the age of twenty-one for males and eighteen for females, is fixed upon as the limit of those who are to be received into the House. In proportion as those who are committed approach that age, the hope of an improvement in their character is diminished, and the disposition of them after they leave the House, placed beyond the managers. Full scope for the principles of the establishment to operate, is afforded only when the age of the inmate allows a sufficient time for applying the discipline and instruction of the House, and afterwards for binding out. The latter, indeed, cannot be conscientiously and safely attempted, until the managers are fully satisfied that the inmate is in a fit state to be put out, and then, no master will take him unless there be time enough left before coming of age (the utmost time for which he can be bound,) to afford a remuneration for the unrequited expenses of the early portion of apprenticeship. It appears, too, in most instances, that

persons approaching the designated age have acquired bad habits, and at the same time a maturity of strength and growth which render them difficult to manage, and unfit companions for the younger inmates. The managers think it very desirable that these things should be borne in mind by magistrates and others who have power to commit, and that none should be sent to the Refuge, who have attained an age and growth which forbid the hope of bringing them beneficially under the influence of its discipline. They injure the younger inmates, and disturb materially, the order of the establishment.

In the investigations to which the duties of the managers have necessarily invited their attention, they have learned that a new source of juvenile corruption has been opened in this city, which deserves to be noticed. They allude to what for want of a more appropriate phrase may be called children's theatres. As they have understood, the actors and the audience are minors of both sexes, though it is supposed that the whole is under the direction and for the benefit of adults. They are established in obscure places, the price of admission is low, and there is unlimited license in them for every sort of vicious indulgence. They are visited by stealth, and the money paid for admission must be known by those who receive it, to have been very often dishonestly acquired, as the visitors are of an age, and of a class not to have money of their own. There can be no doubt that such establishments are common nuisances, obnoxious to prosecution, and punishment, and that it is in the power of the law, as it is manifestly for the interest of the public, to break them up. This notice, it is hoped, will be sufficient to engage the attention of those to whom it especially belongs to guard the public peace and safety, and to apprise them of the existence of an evil of which they may not have been heretofore informed.

The accounts herewith, will show the amount expended during the year. Employment is necessary for the sake of those under their charge, that they may acquire habits of industry, and avoid the evils of idleness; but considering their age, their want of skill, and that by the time they are so advanced as to be able to afford some remuneration, it becomes proper to bind them out, no calculation ought to be indulged that they will contribute any very considerable amount towards their own support. The managers, however, use every effort to render their labour productive. The elder boys are now employed in shoemaking, bookbinding, brass nail making, manufacturing cane seats for chairs, and furniture for umbrellas; the younger ones in winding bobbin. The hours of the girls, not spent in school, are fully occupied in making, mending, and washing for the House.

In the expenditures of the establishment, there has been the strictest attention to economy. The cost of maintaining it, must be considered with reference to the purposes to be accomplished, which do not admit of comparison with any other institution. If the benevolent objects contemplated be worthy of public support, (of which there is now no doubt,) the managers hope and believe that the needful means will be supplied, and that nothing more will be required than a continuance of the same watchful fidelity in their administration.

In their efforts to improve the morals of the inmates, and to prepare them for a life of virtue, the managers continue to receive the benevolent and efficient aid of the "Ladies' Committee." They make a weekly visit to the House, and with that delicate and correct perception, combined with considerate kindness, which distinguishes their sex, suggest and promote arrangements, especially in the female department, conducive to the great purposes of the institution, as well as bestow their time and personal exertions in observing and assisting the progress of their good work.

The Sabbath day is not allowed to pass without its

appropriate improvement. There is religious service in the morning and in the afternoon, conducted by clergymen of the different denominations, who in turn occupy the desk in the chapel, and kindly extend the benefit of their sacred embassy to those whose only claim is their need. The Sunday schools are gratuitously superintended by a gentleman of decided ability, by whom they have been reorganized and materially improved. Under his direction they appear to be producing the best fruits. The department of the inmates of both sexes, in the church, and in the schools, is such as to justify a belief that the efforts generously made in their behalf by their instructors, are not without a blessing.

The physicians of the House are entitled to the acknowledgments of the contributors and the managers, for the promptness and zeal they have uniformly manifested, even when extraordinary claims have been made on their time and attention. Happily, the epidemic cholera did not enter the House. Not a single case appeared within the walls. But during a part of the season, slighter affections prevailed, of a kindred nature, and, subsequently, there were cases of scarlet fever, which, however, did not in any instance prove fatal. The general good habits and cleanliness which have prevailed, have been conducive to health.

The managers have been entirely satisfied with the superintendent, and matron, in their respective departments. In the school a change has taken place. Mr. John O. Taylor resigned his situation, as teacher, in July last, and Mr. Edmund Neville was appointed to succeed him. His conduct in that capacity has been very satisfactory. The managers think they perceive in it, evidence of more than ordinary qualifications for the employment. The average time spent by the inmates in school may be stated at four hours a day.

By order of the Board,

JOHN SERGEANT, President.

Attested

JAMES J. BARCLAY, Secretary, H. R.
Philadelphia, May 1, 1833.

PUBLIC MEETING—THE LATE JOHN RANDOLPH.

At a meeting of citizens of Philadelphia, assembled the 25th May, 1833, in the District Court Room of the United States, to unite in a tribute of respect to the remains of our distinguished countryman, the late JOHN RANDOLPH, of Virginia, who died on Friday last in this city, on motion it was resolved unanimously, that the Hon. JOSEPH HOPKINSON, take the chair, and that the Hon. JOHN G. WATMOUGH, be appointed secretary.

The object of the meeting having been stated from the chair, the following resolution was moved by Mr. Sergeant, and seconded by the Hon. Horace Binney:

Resolved, That
be a committee to confer with the personal friends of the deceased, and if consistent with their views and feelings, to make arrangements for uniting with them in a public tribute of respect to the remains of our distinguished countryman, the late JOHN RANDOLPH, of Virginia, whose death in the midst of us, has peculiarly reminded us of the splendid contribution his talents and genius through a long public life, have made to the reputation of our country.

The resolution being under consideration, it was moved by Joseph Ingersoll, Esq. and unanimously carried, to fill the blank with *ten*.

The following named gentlemen were accordingly announced:

Horace Binney,	C. J. Ingersoll,
Nicholas Biddle,	James Brown,
Samuel Breck,	Gen. Cadwalader,
Joseph Hemphill,	John Sergeant,
Richard Willing,	George M. Dallas.

On motion of David Paul Brown, Esq. it was unanimously resolved, that the chairman and secretary of this meeting be added to the committee.

On motion of the Hon. John Sergeant, it was resolved, unanimously, that the committee make known their proceedings through the public papers, unless they should deem it expedient to call another meeting.

On motion, the meeting then adjourned.

JOSEPH HOPKINSON, Chairman.

JOHN G. WATMOUGH, Secretary.

The meeting having adjourned, the above named committee met accordingly.

After a few preliminary remarks from the chairman, Nicholas Biddle, Esq. a motion was made and carried unanimously, authorising him to communicate with the friends of the deceased, and ascertain what future mode of proceeding would be most acceptable to them, and most suitable to the occasion.

The following correspondence is the result, which we are happy to be able to lay so promptly before the public.

PHILADELPHIA, May 25th, 1833.

John S. Barbour, Henry E. Watkins, and William J. Barksdale, Esqrs.

Gentlemen:—I have the honor to inclose to you, as the friends of the late JOHN RANDOLPH, of Virginia, a copy of the proceedings of a meeting of the citizens of Philadelphia, held this day.

On behalf of the committee appointed at that meeting, I am instructed to consult you as to the most acceptable mode in which the citizens of Philadelphia may share with you, in performing the melancholy offices of respect due to an occasion which has deprived you of a personal friend, the state of Virginia of a distinguished son, and our common country of one of her most eminent citizens. I shall be happy to communicate your views to the committee, and in the meantime remain, with great respect,

Yours,

(Signed)

N. BIDDLE, Chairman.

PHILADELPHIA, May 25, 1833.

Sir:—We have received your letter of this day, covering the proceedings of the citizens of Philadelphia, assembled on the occasion of the death of JOHN RANDOLPH of Roanoke.

This melancholy event deprived the State of Virginia of a distinguished citizen, who has illustrated his claims to her respect and regard, in a life of faithful and active service. The sovereignty, prosperity, and renown of that commonwealth were objects of his affection, at all times close to his heart; and in their support he employed the best efforts of his powerful and splendid genius. The tokens of respect that you have shown for his life and memory, cannot but be grateful to those who hold in just estimation the virtues, the abilities, and public services of Mr. Randolph. In return, we beg you to receive from ourselves and other citizens of Virginia, now present, our cordial and grateful acknowledgements.

The wish which he avowed for the removal of his mortal remains, and their interment within his native land will make their early departure necessary. And the delay that must follow the acceptance of any further tribute of respect to the memory of the deceased, than that already manifested by the inhabitants of this city, would be attended by great inconvenience. It is hoped that this cause will be acceptably received by you, for our declining, as we most respectfully do, your generous proposition, to unite with us in doing honor to the memory of our distinguished countryman.

With all respect, your obt. servants,

(Signed)

J. S. BARBOUR,

HENRY E. WATKINS,

W. J. BARKSDALE.

N. Biddle, Esq. Chairman of the Committee in behalf of the people of Philadelphia.

HAZARD'S REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

VOL. XI.—NO. 23.

PHILADELPHIA, JUNE 8, 1833.

NO. 284.

REPORT ON PRISONS.

Annual Report of the Acting Committee of the Philadelphia Society for Alleviating the Miseries of Public Prisons—January 1, 1833.

To the Philadelphia Society for Alleviating the Miseries of Public Prisons.

The Acting Committee submit the following Report:

During the past year the committee met twelve times, and their sub-committees frequently examined the different prisons in the city and county of Philadelphia. Those prisoners who stood in need of assistance received it. Owing to the prevalence of the influenza during the last winter, and of the cholera in the summer, the expenditures of the Society have been unusually great. The amount expended will appear by the Treasurer's account.

The condition of the various prisons to which the attention of the committee has been directed, will now be described.

The Arch street prison has been frequently visited, and especially during the period when the cholera prevailed. Upon that subject a special report has been submitted, to which the committee beg leave to refer.

The committee have endeavoured to ascertain the number of deaths from cholera in this prison from the commencement of the disease: the total number who died in and were buried from this jail was 44; and the deaths at the various hospitals, &c. (among the prisoners discharged from this establishment) may be stated at about 23. The total mortality therefore among these two classes may be stated, in the opinion of the committee, at 67: but as some doubtful cases have been submitted to the committee it may be proper to remark that the maximum did not exceed 76, *including therein the whole of these alleged cases.* The committee had the best opportunity to procure correct information, having access to the returns of the physicians, and the constituted authorities, and having visited every discharged prisoner in the several hospitals, as well as those confined within the walls of the prison, where their attendance was daily given as long as the necessity of the case required.

With the exception of this terrible visitation, the state of this prison has not materially varied from that of last year.

The same system of illegal commitments is still practised by some of the magistrates. Persons are still committed as "idle and disorderly, till discharged by due course of law." The magistrates who thus violate the law, cannot even offer the plea of ignorance in extenuation of their offences, as the opinion of the Recorder, Mr. McIlvaine, on this very point, was published in the newspapers of this city in November, 1829.*

Another practice of some magistrates, one equally contrary to law, is that of discharging vagrants after their conviction and before the expiration of their sentences.

There is no provision made by law to supply untried

prisoners with clothing, and when they are detained for months in prison, they are often in a state of destitution (particularly during severely cold weather) and where the individual is detained, not for trial, or under any sentence whatever—but, contrary to the laws of the country, the case is more aggravated.

It appears to the committee that another evil is, the length of periods between the sessions of the criminal courts. It must be apparent to every reflecting mind that the wants of this community require the criminal courts to sit much more frequently than they now do.

It is certainly contrary to the spirit of the constitution to immure a citizen in a prison for a long period before his trial, the avowed object being to secure his presence to answer the charge alleged against him, and not to inflict a punishment. If this be considered unjust to the *accused*, who cannot find security, what will be said to the imprisonment of *witnesses*, who may be unable to procure bail? The Court of Oyer and Terminer hold but two sessions a year. A person who is charged with a high crime may thus suffer, if friendless, an imprisonment of six months before he is brought to his trial, and the witnesses *against* him, equally destitute, must endure a similar misfortune. But the injustice does not *end here*; although the *commonwealth* enforces the presence of *her* witnesses, either by compelling them to give bail, or by committing them, the *accused* possesses *no such right*, and the witnesses in his favour may all be dispersed before his trial comes on. If, when at length brought to his trial, he should be acquitted, not the slightest recompense is made to him for all the suffering he has undergone. The Mayor's Court and Court of Quarter Sessions are held only four times in a year. In Boston and New York the criminal courts sit very frequently. This is an important subject, and the committee trust that the Society will give it that serious attention which it deserves. Documents marked A, exhibit the number of commitments, &c. to this jail for 1831 and 1832. The committee hope that their next annual report will record the demolition of this prison, and the removal of the establishment to the new county prison, the building of which is in such rapid progress, as to justify the expectation that it may be ready for the reception of prisoners early in the ensuing year. A description of this prison, politely furnished by Mr. Thomas U. Walter, the architect, is subjoined.

New County Prison.

"This prison occupies a front of 310 feet on the Passyunk road, by 525 feet in depth, and is enclosed by a substantial yard wall.

The front is composed of Quincy Sienite, a strong and durable material, remarkably well adapted to the construction of a prison. The style of architecture is castellated gothic. The facade comprises a centre building, which recedes 50 feet from the line of the street, and is 52 feet front at the base, and diminishes in offsets at each story, capped with a belting course. It is 3 stories high, surmounted by circular *ward towers*, on the corners, of 5½ feet in diameter, by 14 feet high. These towers are supported on large corbels, and crowned with a projecting embattled parapet. That part of the building comprised between these towers is 50 feet

* This opinion was delivered on the 17th of November, 1829, in the case of the Commonwealth on the relation of Williams against Reakirt, keeper of the Prison.

high, and is also finished with a projecting embattled parapet, supported on corbels.

On each side of the centre building are wings receding 10 feet; they are 50 feet wide, surmounted by a parapet pierced with embrasures. In each of these wings there is a gate of entrance, 10 feet wide and 17 feet high. The upper part of the gate is secured by a massive wrought iron portcullis. The gates are formed of oak plank, in the most durable manner.

These wings are ornamented with narrow pointed windows in the first and slip windows in the second stories. At each extremity there are massive octagonal towers, terminating in embattled parapets, and ornamented with narrow pointed windows. From these octagonal towers extends a yard wall, which recedes 15 feet from the front of the wings, and is built of hewn stone, the same as the rest of the front, and appears to compose a part of the main edifice. At each extremity of this wall there are bastions 15 feet wide at the base, 13 feet at the top, and 20 feet high, crowned with embattled parapets.

The whole front is ornamented with architraves, labels, corbels, &c. peculiar to the style.

The centre building is intended to be occupied by the keeper and his family, excepting one room, which is to be reserved for the inspectors. Each of the wings contains (in the lower story) a lobby, or place of entrance, and an office. The second story is intended for an infirmary.

The cells are built in two blocks, extending from the offices in each wing, at right angles with the principal front. They contain 408 cells, 9 feet wide, 13 feet long, and 9 feet high. There is a corridor in the centre of each block, the whole height of the building, and 20 feet wide, lighted by vertical windows fixed in the roof. All the cell doors may be seen at the same time from a window in the office.

Each cell has a separate flue for ventilation, a separate flue for admitting warm air from the furnace, an aperture for admitting cold air, a hydrant, and a water closet. These cells being built 3 stories high, the upper stories are approached by means of galleries supported on strong cast iron brackets. The light is received into the cells through a window 4 inches wide and 4½ feet long, made secure by a cast iron frame glazed with pressed glass, to prevent the prisoner looking out. The casings of the cell doors are made of cast iron. The interior doors are gratings made of wrought iron. The exterior doors are made of wood. The movements of the prisoner may be inspected at any time without his knowledge, through a small aperture made in this door for the purpose, which is ordinarily kept closed.

The exterior cell doors are so constructed that they may all be open at the same time, without the prisoners seeing each other. This renders the establishment convenient for religious instruction. Worship may be performed in the corridors, within hearing of all the prisoners, and the speaker be unobserved.

The arrangement of the prison into two distinct blocks of cells, offices, gates of entrance, &c. was made for the purpose of keeping the untried prisoners and the convicts completely separate. By this arrangement the visits of relatives, counsel, &c. to the untried prisoners, need not be interdicted, nor the solitude of the convicts interrupted.*

The corner stone of this edifice was laid on the 2nd day of April, 1832. We have proceeded with the work during the past year with great rapidity, and anticipate having the whole under roof, and the north block of cells entirely finished, by the close of the next season, (1833.)

The location of this prison appears to be remarkably healthy. All the men employed on the work since the commencement, have enjoyed good health; we have had 150 at one time.

* All the prisoners are kept apart from each other.

From this hasty description you may be able to form some idea of the construction of the building, and its approximation towards completion. You will observe that the system of solitary confinement adopted in this prison is the same as that practised at the eastern state penitentiary, which I believe to be the only system by which we can hope to produce a permanent reform in the subjects of prison discipline.

One of the greatest evils in imprisonment, is the knowledge the prisoners acquire of each other while in confinement. The Pennsylvania system is the only means of preventing this evil, and, could the same principle be effected in all the primary prisons throughout the state, the benefit would be incalculable."

Walnut Street Prison.

The committee have nothing new to report in relation to the penitentiary in Walnut street. Document B. will show the number of prisoners received and discharged for the past year, the nature of the offences, &c. The inspectors took all the precautions that zeal and wisdom could suggest, to guard against the cholera, and every precaution was made in case the disease reached the prison. Fortunately, but a single case occurred.

From the present advanced state of the buildings of the eastern penitentiary and the new county jail, it is hoped that the prisoners may also remove from the Walnut street prison during the ensuing year.

The State Penitentiary for the Eastern District of Pennsylvania.

The committee embrace with great satisfaction the opportunity of congratulating the Society on the success of the Pennsylvania system of prison discipline, now in operation in the eastern penitentiary. It cannot fail of being a source of high gratification to the Society that their labours and exertions in a great degree procured the adoption of the system of the entire separation of the prisoners from each other, and their employment in useful and laborious occupations. - It will be recollected that the Society, deeply impressed with the value and advantages of this system, very soon after their reorganization,* turned their attention to this important subject, and in their memorial to the legislature, adopted on the 29th of January, 1788, state that they are "fully convinced that punishment by more private, or even solitary labour, would more successfully tend to reclaim the unhappy objects, as it might be conducted more steadily and uniformly, and the kind and portion of labour better adapted to the different abilities of the criminals;" and they add, that by these means "the evils of familiarizing young minds to vicious characters, would be removed." The legislature entered into the views of the Society, and in the preamble to the act of the 5th of April, 1790, expressed the hope "that the addition of unremitted solitude to laborious employment, as far as it can be adopted, will contribute as much to reform as to deter." Unfortunately, a fair trial was not and could not be made in a prison so defective in all the requisites necessary to a complete supervision and separation of the prisoners, as the jail in Walnut street; but so much was accomplished that no doubt remained that in a penitentiary properly constructed, the system would succeed. The Society, therefore, repeatedly called the attention of the legislature to the necessity of erecting suitable buildings, in which the solitary, or separate confinement of the prisoners, with labour, could be properly carried into execution.†

* The Society was re-organized on the 6th of May, 1787.

† See the memorial of the Society to the legislature of 14th of December, 1801. Joint memorial of the inspectors of the prison and of the Society, 25th Janua-

On the 3d of March, 1818, the act for the erection of the state penitentiary, in the town of Allegheny, opposite Pittsburg, was passed, and on the 20th of March, 1821, "an act for the erection of a state penitentiary within the city and county of Philadelphia," was approved by the governor. The friends of the system of separate confinement and labour now congratulated themselves on the prospect of its receiving a fair trial in Pennsylvania. But new difficulties were to be met—new obstacles were to be overcome—an opposition arose which not only retarded the completion of the buildings, but for a time endangered the system itself. The exertions of the Society were unremitting, and at their request Samuel R. Wood, Esq. repaired to Harrisburg in the winter of 1828—29. His services were most valuable. Several distinguished members of the legislature took a deep interest in the success of a system which appeared to promise such advantage. The able chairman of the judiciary committee, Garrick Mallary, Esq., proved a zealous and powerful friend to the cause. On the 23d of April, 1829, "a further supplement to an act to reform the penal laws of this commonwealth" was passed; and by this enactment, persons convicted of the crimes therein enumerated, are to be sentenced to suffer punishment by separate confinement at labour. The acting committee having been appointed official visitors, have endeavoured faithfully to discharge the trust reposed in them. It may be proper to state some of the pre-eminent advantages which the committee think the system of separate confinement of prisoners at labour possesses.

It will be admitted that the great objects of punishment are to prevent the commission of crimes, and to reform the criminal. That system of punishment which secures the attainment of these objects in the highest degree, will be the most beneficial to the public.

Man, as a social being, derives his chief happiness from his intercourse with his fellows. He eagerly seeks for society, that he may increase his joys, and assuage his sorrows. To be totally cut off from the companions with whom he has been accustomed to associate, and to be secluded from the world, will fill the bosom of any man with dread. Therefore he, whose past life has been such as to render reflection terrible, will endeavour to avoid incurring that punishment, which not only deprives him of liberty and society, but also compels him to commune with his own heart. Old convicts are generally cautious not to commit those offences which are punished by separate confinement at labour, and the number of prisoners in the eastern penitentiary, for the first offence, is proportionably greater than in the other prisons: and of those discharged from this jail, none have been yet recommitted. That recommitments will take place, will not admit of a doubt; but the committee believe that they will be *greatly* diminished; especially when the same system is carried into effect in the county prisons. In addition to the above facts, the committee have, in their visits to the other prisons, heard many of the prisoners express their strong apprehensions of the severity of this mode of punishment. That it is severe, is admitted, but to accomplish the end, it must be severe. It is not, however, cruel—the severity is salutary, not only in promoting the general good, in preventing the commission of crime, but it is also beneficial to the convict himself. In the solitude and silence of his room, he cannot avoid reflecting on his past life, and is forced to acknowledge that his punishment is a just retribution for his past offences. His conscience is awakened—its whisperings must be heard, and he will probably be aroused to a sense of his situation. Treated with kindness by those who have the charge of, or hold official intercourse with him, his evil propensities will be

checked, and the better feelings of his nature aroused. Instructed in some useful employment labour will be a source of gratification—habits of industry will thus supplant those of idleness. From the Scriptures and the visits of the ministers of our Holy Religion, he will be taught the value of his immortal soul, and to prepare for the judgment to come. On his discharge he will not be turned helpless and destitute on the world, and having acquired the knowledge of some useful trade, and the rudiments of an education, he will have the means of obtaining an honest livelihood. If disposed to do well, his path cannot be crossed by any of his fellow prisoners; to them he is as much unknown as if he had never entered the walls of the jail—not having been subjected to the gaze of visitors, few will know that he has been an inmate of a penitentiary. Should he, however, leave the jail on the expiration of his sentence, not better than when he entered it, he *cannot* be worse. He has been subjected to the influence of no contaminating examples—he has not been the pupil of the expert or daring villain, and thereby schooled in the various arts and modes by which crime can be successfully perpetrated: no opportunity has been afforded him of exercising a malign influence on others. It is true, that instruction is given in other penitentiaries; but where the prisoners are employed *together*, it is impossible to prevent *some* intercourse from taking place between them while in confinement, and when they meet after their discharge, they immediately recognize each other.

The committee have attempted thus briefly to point out some of the advantages of the system of separate confinement at labour: to enumerate all of them would require more of your time than the committee deem themselves warranted in occupying.

They will now proceed to give the Society a sketch of the state of this prison.

The first prisoner was received at the Eastern Penitentiary, on the 25th of October, 1829, and the whole number up to the 1st January, 1833, is 142. Of this number, four are females.* Their diet is coarse, but nutritious; and the clothing comfortable.† They are kept regularly employed,‡ and when the work of the day is over, those who can read are furnished with Bibles, and with the permission of the Warden, have the use of a small but well selected library, provided by the Society.

When a prisoner does not know how to read, pains are taken to teach him. If he be unacquainted with any trade, or with one that cannot be pursued in the prison; he is instructed in one. On Sunday the establishment is generally visited by some clergyman, who imparts religious instruction to its inmates. These visits are not confined exclusively to the first day of the week.

The treatment of the prisoners by all the officers is marked by its kindness and firmness, and punishment is rarely inflicted, and the lash is never used.

Neatness and cleanliness are carefully observed, both in the cells and persons of the prisoners, which, together with regular exercise and diet, have preserved the general health of the establishment. The number of

* Each prisoner is supplied with a pint of coffee and a pound of bread, (two-thirds of rye and one-third of Indian meal,) for breakfast; a pint of soup, three-quarters of a pound of beef, (without bone,) of which the soup is made, and potatoes for dinner; mush and about a gill of molasses for supper. They are not restricted in the quantity of potatoes or mush.

† The clothing in summer consists of muslin shirts, roundabout jackets, trousers of cotton, and shoes—the jacket and trousers made of cassimere; and woollen stockings, and caps are furnished in winter. The bedding consists of straw or corn husk mattress, and muslin sheets in summer, and in winter blankets are added.

‡ The principal trades carried on are weaving and shoemaking.

ry, 1803. The memorials of the Society of the 12th of January, 1818—22d January, 1821, &c.

The Society have never advocated a system of total seclusion from all intercourse, nor of confinement without labour.

deaths for the past year has been four. The committee on this point beg leave to refer to the physician's report.

From the observation the committee have made they have come to the conclusion, that short sentences are not attended with great comparative advantage; and if they be permitted to express an opinion, would say that a sentence from two to three years (say three years) would produce a result decidedly more beneficial, than one for a more limited period. Not only are bad habits to be eradicated, but good ones must have time to become established, and time is necessary in many cases, for instruction in some useful trade.

Shortly after the passage of the act of 28th of March, 1831, the inspectors took measures to carry its provisions into effect. Their report hereunto annexed, will show the progress made in the erection of the new cells, and also the improvements which experience has suggested in them, and a more detailed account of the prison will be found in the report of the warden. (See Documents C.)

Western Penitentiary.

Although the committee have had no opportunity of making a personal examination of this prison, from the reports of the inspectors and information obtained from other sources, they are of opinion that it would be most advisable to sell it, or pull the cells down, as from its construction it is entirely unsuitable for the purposes of separate confinement or labor.

The committee having ascertained that the situation of the jail in the District of Columbia engaged the attention of congress, at a special meeting held on the 18th of May last, authorized and requested the President of the Society to appoint some suitable person to proceed to Washington and furnish any information that congress or a committee might desire. Mr. S. R. Wood was appointed, and proceeded to Washington.

Some additions have been made to the library, and to render it more useful, regulations have been adopted, which will extend its advantages to all the members of the Society.

Documents D. shows the business of the criminal courts for the city and county of Philadelphia for 1831—1832.

The committee cannot close their report, without offering a tribute of affectionate respect to the memory of their departed friend and associate, Edward Bettle. To him the Society owe much, and by his death they have been deprived of one of their most valued and zealous members. While the committee cannot but mourn his loss, they entertain a confident hope that he is now enjoying a rich reward for a life of active benevolence and exemplary piety.

By order of the Acting Committee of the Philadelphia Society for alleviating the miseries of public prisons

WM. WHITE, President.

Attested, Jan. 1, 1833.

JAMES J. BARCLAY, Secretary, A. C.

APPENDIX. [A. 1.]

A Statement exhibiting the number of commitments received at the Arch Street Jail, of the City and County of Philadelphia, for the years 1831, and 1832—the offences, sexes, &c.

Months of the year.	Charged with Felonies, and other offences punished by fine and imprisonment at hard labor.	Charged with Misdemeanors, and other offences punished by fine and imprisonment.	Charged with being Disturbers of the Peace, Idle, and Disorderly.	Convicted as Vagrants, and for Profane Swearing and Intoxication.	Whites.		Blacks.		Total number each month.
					Males.	Females.	Whites.	Blacks.	
1831.									
January,	58	69	30	71	114	51	34	29	228
February,	78	63	27	73	140	44	30	27	241
March,	67	83	48	120	151	54	59	54	318
April,	85	81	45	149	171	60	54	75	360
May,	89	133	73	181	207	104	79	86	476
June,	54	113	73	220	232	75	61	92	460
July,	75	135	100	214	236	110	83	95	524
August,	54	169	117	186	259	105	85	77	526
September,	47	111	67	179	201	61	77	65	404
October,	68	100	87	149	199	63	68	74	404
November,	61	70	52	109	156	57	31	48	292
December,	80	60	33	100	152	66	25	30	273
	816	1187	752	1751	2218	850	686	752	4506
1832.									
January,	85	87	44	88	150	58	44	52	304
February,	61	74	56	102	148	53	51	41	293
March,	61	81	51	161	221	61	46	36	364
April,	47	84	69	126	183	40	53	50	326
May,	54	113	94	157	215	67	72	64	418
June,	55	116	121	249	255	95	91	100	541
July,	52	158	153	235	266	108	96	128	598
August,	39	64	41	64	134	30	25	19	208
September,	55	92	94	196	223	78	58	78	437
October,	67	91	75	138	183	90	37	61	371
November,	66	89	93	125	162	79	64	68	373
December,	55	86	63	78	147	61	32	42	282
	697	1135	954	1719	2287	820	669	739	4515

[A. 2.]

DISEASES AND DEATHS IN THE ARCH STREET PRISON DURING THE YEAR 1832.

MONTHS.	Fever.	Remittent Fever.	Intermittent Fever.	Catarh.	Rheumatism.	Psora.	Intempe'ce & Mania a Potu.	Gonorrhoea.	Syphilis.	Diarrhoea.	Ophthalmia.	Inflammation.	Ulcers.	Contusions.	Wounds.	Hemorrhoids.	Vertigo.	Asthma.	Cholic.	Burns.	Erysipelas.	Constipation.	Indigestion.	Tinea Capitis.	Convulsions.	Debility.	Cholera morbus.	Amenorrhoea.	Abortion.	Parturition.	Mortification.	Pneumonia.	No. of diseases each month.
January,	10			8	1	1	5	1	2					3																		47	
February,	6		6	8	1	2	3	1	5					1																		34	
March,	22		4	25			9	2	2					2			1															50	
April,	7		7	18	2		10	1	1		1	2		1	1	1						1	3	1								52	
May,	3		6	13	2		5	1	2		2	2		5	7																	50	
June,	7		3	9	2		14	5	3	2	2	2		1	4	5					1		1									53	
July,	4		3	14	6		12	4	4	4	4			4	5							1										63	
August,	1			2	3		4				6			1								1								1		19	
September,	3		1	15	2		3	2	2	3	1			8	1	1		1									2					45	
October,	4			4	2		14	2	1	5	2			2	1		1					1										40	
November,	6		2	10			4			1	4																1			1		29	
December,	11		3	10		1			1				1	1																		28	
No. of each disease,	64	35	136	21	4	83	19	23	29	8	5	26	23	3	2	5	2	2	2	1	2	3	4	1		3	1	1	1	1	2	511	
No. deaths,	13					5		1																	1	1				1		22	
Relieved, discharged, and cured,																															489		

This table includes all the patients prescribed for, not only in the Hospital, but in the Prison, except the case^s of Malignant Cholera, which, having been placed under the care of resident physicians, are not included in my report.

EPHRAIM BUCK, M. D.

[B. 1.]

Philadelphia Prison, Walnut street, 1831.

In confinement January 1st, 1831, Males	416
Females	66
	—482
Received during the year, Males	196
Females	66
	—262
	744
Discharged during the year—	
By expiration of sentence	151
“ “ Pardon	25
“ “ Death	26
	—202
Females discharged	47
	—249
Remaining in prison	495
Of those in prison January 1st, 1832, there were—	
White males	241
Coloured males	171
	—412
White females	18
Coloured females	65
	—83
	495

Total Males and Females.

Males of the following age—

14 years and under	4
15 “ “	12
15 to 20	37
20 “ 25	104
25 “ 30	86
30 “ 40	92
40 “ 50	47
50 “ 60	17
60 “ 70	10
70 “ 80	3

Number of men,

412

Females—

20 years and under	26
20 to 25	22
25 “ 30	10
30 “ 40	20
40 “ 50	4
50 “ 60	1

Number of women,

83

Of those received there were—

Males	
under 14	4
14 to 15	2
15 “ 20	17
20 “ 25	64
25 “ 30	36
30 “ 40	47
40 “ 50	14
50 “ 60	9

60 to 70	3
70 " 80	0
3 for 24 hours no account of.	
	<hr/> 196

Females	
from 15 to 20	28
20 " 25	16
25 " 30	8
30 " 40	10
40 " 50	1
50 " 60	0
	<hr/>
Women,	63
	<hr/>

Places of Nativity of those Males in Prison.

Vermont	1
Delaware	37
Pennsylvania	112
England	20
New York	49
Maryland	39
Ireland	48
Hamburg	4
New Jersey	29
Virginia	17
Connecticut	17
Quebec	1
Germany	6
Louisiana	2
D. Columbia	1
Massachusetts	8
Scotland	10
Ohio	1
Port Prince	1
North Carolina	1
St. Marks	1
Island, Trinidad	1
Africa	1
Georgia	1
Spain	1
France	1
Belgium	1
Not ascertained	1

Total amount of men in Prison on January 1st, 1832,

412

Offences of those received during the year—	
Passing counterfeit money	2
Blasphemy	1
Receiving stolen goods	2
Conspiracy to cheat	4
Endeavoring to conceal death of bastards	1
Manslaughter	1
Constructive larceny	1
Assault with intention to murder	1
Escape from prison	1
Burglary	1
Larceny	247
	<hr/> 262

[B. 2.]

Annual Sick Report of the Philadelphia Prison for the year 1831.

I. SICK IN HOSPITAL.

Remaining sick on the 1st of January, 1831	16
Taken under treatment during the year	266
	<hr/>
Total under treatment,	282

Of this number there were—	
Cured	187
Discharged relieved	38
" pardoned	3
" time expired	4
" died	29
	<hr/>
Total terminated cases,	261

Remaining under treatment on the 31st Dec. 1831 21

Monthly Statement of Admission and Deaths.

	Admissions.	Deaths.
January,	20	4
February,	18	2
March,	24	5
April,	18	3
May,	19	2
June,	23	1
July,	26	4
August,	19	0
September,	17	0
October,	21	5
November,	20	1
December,	41	2
	<hr/>	<hr/>
Total,	266	Total 29

Diseases in the Fatal Cases, with the number of Deaths from each Disease.

	Deaths.
Pulmonary consumption caused	6
Dropsy	4
Dropsy of the chest	3
Inflammation of the lungs	2
Disease of the spinal marrow	2
Mortification	2
Paralysis	2
Inflammation of the bowels	1
Fever	1
Inflammation of the stomach	1
Apoplexy	1
Abscess	1
Jaundice	1
Inflammation of the bladder	1
Diarrhœa	1
	<hr/>
Total,	29

Males,	26
Females,	3
	<hr/>
Total,	29

II. Sick in Quarters.

Remaining on the list of sick in quarters, 1st January, 1831,	14
Received on the list during the year,	1153
	<hr/>
Total under treatment during the year,	1167
Of this number there were—	
Cured,	1057
Transferred to the sick in Hospital,	87
	<hr/>
Total terminated and transferred cases,	1144
	<hr/>
Remaining under treatment on the 31st December, 1831,	23

The average number of prisoners for the past year 1831, has been 475. The deaths having been 29, gives the mortality for 1831, at 6.1 per cent.

FRANKLIN BACHE, M. D. Physician.

From the Philadelphia Gazette.

The Grand Inquest of the United States of America, inquiring in the third circuit for the Eastern District of Pennsylvania, do unanimously and respectfully represent that the want of an edifice with proper accommodation is a very serious inconvenience to the government, to its officers, to the jurors, suitors and others attending on the court. Nor is it possible to remedy this inconvenience without having a building properly erected with a view to what is absolutely required in a city so prosperous as Philadelphia, and with such extensive commerce, and in a circuit so large and fertile in subjects, both civil and criminal, for judicial investigation as the state of Pennsylvania; the offices of the Judges and the Attorney of the District, are now held in private dwellings separate from each other, and more or less remote from the courts. It is scarcely of less importance to citizens having business with them than those officers themselves, that this should be remedied. The jurors and witnesses who are summoned should have places to which they may retire, the former to deliberate on their verdicts, the latter to be removed from the court room, where as is now unavoidably the case and eminently injurious to the cause of public justice, they can hear the other evidence given in the controversy about which they are to testify. The offices of all those who have in their care the public documents should be contiguous to the court, and each other, that they may be of easy access; they should especially be *fire proof*, which they seldom are and can scarcely be unless in a public building. Nor is this requisite confined merely to the offices where the records of the Courts are deposited; it extends equally to those of the Judges, the Attorneys and the Marshal—all of whom have valuable original documents and vouchers constantly in their possession.

For these among other reasons which might be assigned, the Grand Inquest most earnestly recommend the subject of constructing a Court House with the proper offices, to the immediate and serious attention of the Government.

CADWALLADER EVANS, *Foreman*.

Jos. R. EVANS, *Secretary*.

ANNUAL REPORT OF THE MUSICAL FUND SOCIETY OF PHILADELPHIA.

The joint Board of Officers, in obedience to the provisions of the By-laws, submit the thirteenth annual report.

During the past year, there have been thirty amateur members elected, and the number of resignations accepted by the Board have been also thirty; thus leaving the entire number of members the same as at the annual report.

The progress of the society in usefulness as a beneficial Institution, and as a school of art, has been uninterrupted. Its funds have been increased in a satisfactory degree: its reputation is at least undiminished; and its influence upon the public taste, if less apparent than in the first years after its organization, is only less because the reform which it then introduced has been since greatly advanced. It may be said with truth, that the primary objects of the society have been secured. A fund has been provided for the relief of decayed musicians and their families, and a general diffusion of taste in the art of music has taken place. Those who remember the occasional public performances of professors of music before the year 1820, and the negligent and even noisy attendance of the limited audiences of that period, find reason to congratulate the society on the value of the improvements which it has effected in the character of both.

Since the last annual report, the joint board has caused an additional and spacious outlet to be made to the Saloon. The very substantial manner in which the

Hall is constructed, has heretofore permitted no cause of apprehension except that which might arise from the supposed inadequacy of the stairways in case of an alarm. The new outlet, it is believed, will effectually remove this. It has been made at a moderate cost.

The treasurer's annual account, herewith submitted, will exhibit the expenditures of the society for its different objects. It will be seen that the claims of professional members have been fully met, that a succession of brilliant performances have been presented to the amateurs, and that a considerable amount has been disbursed for extraordinary expenses, without arresting the growth of the fund. The property of the Society accumulated in thirteen years of varying, but still progressive success may be estimated at the present time at about \$15,000.

Of the soirees and more public concerts of the past year, it is scarcely necessary to speak in a report to the members. The Oratorio of the Creation, which closed the regular season, and which, in compliance with a wish generally expressed, was a few nights afterwards performed a second time. This splendid production has never been so carefully or perfectly performed in this country. It is contemplated by the Directors of the Music to give as one of the performances for the ensuing year, Haydn's Seasons, a work which ranks as one of the most delightful compositions of that author.

The list of professional members has during the last year, lost the name of Mr. Joseph C. Taws, an esteemed pupil of the late Mr. Carr, who had afterwards completed his musical education in the Royal Academy of Music of London, and had given indications of early and promising talent.

In conclusion, the joint Board of Officers renew their congratulations to the Society on its prosperous condition, and express their confidence that it has now passed the time when by any ordinary agency its continued existence, or its usefulness can be made precarious.

W. P. DEWEES, M. D. President.

GEO. CAMPBELL, Secretary.

The following officers were elected the same evening to serve for the ensuing year:

President—Wm. P. Dewees, M. D.

Vice President—John K. Kane, Esq.

Secretary—Geo. Campbell.

Treasurer—Francis G. Smith.

MANAGERS OF THE FUND.

W. Y. Birch,	Joseph H. Barnes,
R. S. Smith,	Charles E. Cathral,
W. Strickland,	W. H. Keating,
W. M'Ilhenny,	G. W. Smith,
Thomas Underwood,	S. P. Griffiths,
William Montelius,	G. T. Beyer.

DIRECTORS OF THE MUSIC.

Charles Hupfeld,	W. S. Smith,
B. Cross,	R. La Roche, M. D.
Thomas Loud,	W. Norris, jr.
W. H. W. Darley,	Pierce Butler,
H. J. Boller,	T. Peale.
	J. C. B. Stanbridge.

PHYSICIANS.

Isaac Hays, M. D.	G. Emerson, M. D.
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COUNSELLORS.

Henry Chester,	H. D. Gilpin.
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LANCASTER, Pa. May 9.

A considerable number of human bones have lately been dug up by the workmen engaged in excavating the rail-road route in the north-eastern part of the city. They are generally supposed to be the remains of the Indians massacred many years ago in the jail, by the "Paxton boys." Tradition, at least, says that the bodies were interred somewhere in the vicinity of the locality where the bones have been found.

STATISTICS OF PAUPERISM.

The following statements in relation to *out door* relief to the poor in 1831—2, and 1832—3, were submitted to the Board of Guardians by the Secretary, on the 3d instant, and ordered to be printed.

SAMUEL HAZARD, *Secretary.*

WOOD DISTRIBUTED 1831-32.

During the winter there were delivered to the out poor of the City and Districts under the care of the Guardians for relief and employment of the poor, &c. 965 5.8. Cords of wood as follows:—

Northern Liberties,		218	Cords,	to	694 persons.
Do. Unincorporated,		7	"	"	18 "
Kensington,		102	"	"	244 "
Penn Township,		138 2-8	"	"	324 "
* City, Northern District,	120 1-3 }	240 $\frac{1}{2}$	"	"	966 "
† Southern "	120 2-8 }		"	"	966 "
Southwark,		260	"	"	951 "
		<hr/> 965 $\frac{1}{2}$	cords.	to	<hr/> 3197 of whom

were whites 2794, and blacks 403, viz:—

	Whites.	Blacks.	Total.		
Northern Liberties,	605	89	694		
Do. Unincorporated,	17	1	18		
Kensington,	238	6	244		
Penn Township,	295	29	324		
City, Northern District,	416	67	483		
“ Southern “	327	156	483		
Southwark,	896	55	951		
	<hr/> 2794	<hr/> 403	<hr/> 3197		
	of those were				
	Widows.	Married.	Widowers.	Single.	Total.
Northern Liberties,	490	193	0	11	694
Do. Unincorporated,	8	9	0	1	18
Kensington,	187	53	0	4	244
Penn Township,	138	179	2	5	324
City, Northern District,	317	151	0	15	483
“ Southern “	298	167	0	18	483
Southwark,	675	266	0	10	951
	<hr/> 2113	<hr/> 1018	<hr/> 2	<hr/> 64	<hr/> 3197

Deducting the 64, Single persons from the Total of 3197, would leave 3133, persons who have among them 7323 children, viz:—

	White children.	Blacks.	Total.
Northern Liberties,	1292	161	1453
Do. Unincorporated,	37	3	40
Kensington,	875	18	893
Penn Township,	923	99	1022
City, Northern Division,	896	120	1016
“ Southern “	633	286	919
Southwark,	1867	113	1980
	<u>6523</u>	<u>800</u>	<u>7323</u>

Of the 3197 persons relieved, 438 were on the regular list of paupers, and 2759 only incidentally relieved, viz:

	Regulars.	Incidental.	Total.
Northern Liberties,	118	576	694
Do. Unincorporated,	3	15	18
Kensington,	37	207	244
Penn Township,	53	271	324
City, Northern Division,	58	425	483
" Southard "	82	401	483
Southwark,	87	864	951
	<hr/> 438	<hr/> 2759	<hr/> 3197

Adding the Husband or wife as the case may be of the 1018 married individuals, and the 7323 children to the 3197 applicants for wood, it will appear, that 11,538 persons were benefitted by the distribution.

The wood was distributed in the following proportions:—

	Rec'd.	1-8	2-8	3-8	4-8	5-8	6-8	8-9 Cord.
Northern Liberties,	0	524	0	162	0	8	0	
" Unincorporated,	0	8	0	10	0	0	0	
Kensington,	0	80	0	164	0	0	0	
Penn Township,	0	54	0	217	0	19	2	
City, Northern District,	201	200	0	66	0	16	0	
" Southern "	300	9	53	120	1	0	0	
Southwark,	203	543	51	144	6	4	0	
	<u>704</u>	<u>1418</u>	<u>104</u>	<u>883</u>	<u>7</u>	<u>47</u>	<u>2</u>	

* From Chesnut to Vine and river to river.
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† From Chesnut to Cedar and river to river.

The ages of the 3197 persons who received wood were as follows:

	City.							
	N. L.	Unin.	Kens.	P. T.	N. D.	S. D.	Swk.	Total.
10 to 20	2	0	0	0	0	0	0	2
20 " 30	76	0	15	32	44	59	165	391
30 " 40	147	5	25	69	106	108	204	664
40 " 50	185	8	42	65	114	94	180	688
50 " 60	122	0	64	59	91	88	210	634
60 " 70	82	0	45	43	61	57	142	430
70 " 80	60	5	39	34	47	50	35	270
80 " 90	16	0	14	17	14	21	12	94
90 " 100	3	0	0	5	6	3	3	20
100 " 110	1	0	0	0	0	2	0	3
110 " 120	0	0	0	0	0	1	0	1
	694	18	244	324	483	483	951	3197

Natives 2247, Foreigners 950.

	City.							
Places of birth,	N. L.	Unin.	Kens.	P. T.	N. D.	S. D.	Swk.	Total.
New York,	3	0	12	2	5	6	0	28
New Jersey,	58	1	11	31	59	41	195	396
Pennsylvania,	112	6	38	40	86	36	38	355
Philadelphia,	185	6	48	90	122	113	417	981
Delaware,	51	0	12	23	27	65	57	235
Maryland,	28	1	16	18	25	42	18	148
Virginia,	26	0	0	5	1	12	28	72
Connecticut,	0	0	0	1	0	0	11	12
N. Carolina,	0	0	0	1	0	2	2	5
Massachusetts,	0	0	0	0	3	7	0	10
S. Carolina,	0	0	0	0	1	1	3	5
	463	14	137	211	329	325	768	2247
West Indies,	1	0	0	3	1	5	0	10
Scotland,	13	0	8	0	3	7	7	38
England,	34	1	19	15	20	16	52	157
Ireland,	91	1	44	40	95	118	102	491
Wales,	11	0	0	0	0	0	0	11
Germany,	80	1	36	52	30	6	17	222
Holland,	1	0	0	0	0	0	0	1
France,	0	1	0	0	3	6	5	15
Sweden,	0	0	0	1	0	0	0	1
Nova Scotia,	0	0	0	1	0	0	0	1
Canada,	0	0	0	1	2	0	0	3
	231	4	107	113	154	158	183	950
Total,	694	18	244	324	483	483	951	3197

WOOD DISTRIBUTED IN 1832—33.

During the Winter of 1832--33 there were delivered to the out-door poor under the care of the Guardians of the poor 1083½ cords of Wood, as follows

	Cords,		Persons.	
In the city.				
Northern District,	150	to 486		
Southern " "	145 1-8	" 491		
Southwark,	295 1-8		977	
Northern Liberties, incorporated,	246 4-8		812	
" " Unincorporated,	275	"		
	8 4-8	725		
		20		
Penn Township,	283 4-8		745	
Kensington,	141 2-8		331	
	117		310	
	1083 3-8			

Of whom 2752 were whites, and 423 coloured, viz:

	Whites.		Coloured.		Total.
City, Northern District,	430	61			
Southern do	329	157			
	759		218		977
Southwark,	760		52		812
Northern L. Incorporated,	628				
Unincorporated, 20					
	648		97		745
Penn Township,	291		40		331
Kensington,	294		16		310
	2752		423		3175

Of these 3175 persons 1991 were widows, 29 widowers, 1037 married, 118 single, viz:

	Widows.	Widowers.	Married.	Single.	Total.
City, Northern District,	336	3	130	22	491
Southern do.	331	5	125	25	486
	667	8	255	47	977
Southwark,	562	0	240	10	812
North N. Incorporated,	414	11	259	41	725
Unincorporated,	8	0	11	1	20
Penn Township,	129	1	194	7	331
Kensington,	211	9	78	12	310
	1991	29	1037	118	3175

From these 3175 persons, deducting 118 single, will leave 3057 now or once married, persons, who have among them 5496 children, of whom 4871 are white, and 625 colored.

	White.	Black.	Total.
City, Northern District,	617	92	709
Southern do.	486	164	650
Northern L. Incorporated,	877	110	987
Unincorporated,	48	0	48
Southwark,	1271	192	1463
Penn Township,	823	65	888
Kensington,	749	2	751
	4871	625	5496

Of the persons relieved, 315 were males, and 2860 females, viz:

	Males.	Females.	Total.
City, Northern District,	41	450	491
Southern do.	30	456	486
Southwark,	58	754	812
Northern L. Incorporated,	136	589	725
Unincorporated,	10	10	20
Penn Township,	19	312	331
Kensington,	21	289	310
	315	2860	3175

478 were on the regular list, and 2697 on the incidental, viz:

	Regulars.	Incidental.	Total.
City, Northern District,	106	385	491
Southern do.	80	406	486
Southwark,	82	730	812
Northern L. Incorporated,	126	599	725
Unincorporated,	36	274	310
Penn Township,	46	285	331
Kensington,	2	18	20
	478	2697	3175

Adding the husband or wife, as the case may be, of the 1037 married individuals, and the 5496 children to the 3175 persons supplied with wood—it will appear that 9708 individuals have been thus relieved by the distribution of the 1083½ cords of wood, or with \$5525 14, which it cost, averaging to each person about 57 cents.

The wood was distributed in the following proportions:

	1-8	2-3	3-8	4-8	6-8	Total cords.	Persons.
City, Northern District,	80	248	50	102	11	150	1330
Southern do.	100	210	75	95	6	145 1-8	1261
Southwark,	95	489	29	191	8	246 4-8	2515
Northern L. Incorporated,	0	375	00	325	25	275	1971
Unincorporated,	0	6	0	14	00	8 4-8	79
Penn Township,	0	123	0	182	26	141 2-8	1413
Kensington,	0	155	0	152	3	117	1139
	275	1606	154	1061	79	1083 3-8	9708

The persons relieved were of the following ages:

	City. N. D.	City. S. D.	N. L. Incorp.	N. L. Unincorp.	Swk.	P. T.	Kens.	Total.
20 to 30	38	45	103	0	80	27	24	317
30 to 40	112	107	158	4	202	113	72	768
40 to 50	80	85	173	10	123	76	49	596
50 to 60	85	71	104	6	72	45	45	428
60 to 70	70	68	91	0	232	36	69	566
70 to 80	60	70	76	0	70	18	27	321
80 to 90	40	30	19	0	32	13	24	158
90 to 100	5	7	0	0	1	2	0	15
100 to 110	1	2	1	0	0	1	0	5
110 to 110	0	1	0	0	0	0	0	1
	491	486	725	20	812	331	310	3175

Under 50, 1681; over 50, 1494.

Of the persons relieved 2287 were natives, 888 foreigners.

NATIVES.							
City.	N. D.	S. D.	N. L.	Ken.	P. T.	Swk.	Total.
Philadel'a,	112	99	255	135	102	375	1078
Pennsylv'a,	50	46	121	21	59	24	321
N. Jersey,	40	31	87	30	26	145	359
Delaware,	50	61	52	0	24	80	267
Maryland,	30	44	31	6	9	16	136
Virginia,	10	11	9	0	4	8	42
N. Carolina,	2	1	0	0	1	7	11
S. Carolina,	2	1	0	0	0	0	3
Georgia,	0	0	0	0	0	0	0
Maine,	3	5	0	0	0	0	8
Massachusetts,	2	3	5	0	1	0	11
Connecticut,	0	0	2	0	1	0	3
New York,	10	7	6	6	8	10	47
N. Hampshire,	0	0	1	0	0	0	1
	311	309	569	198	235	665	2287

FOREIGNERS.

City.	N. D.	S. D.	N. L.	Ken.	P. T.	Swk.	Total.
Ireland,	120	119	67	52	41	94	493
England,	18	17	14	18	6	30	103
Scotland,	2	4	2	0	5	9	22
Wales,	3	2	2	0	1	0	8
Germany,	12	11	79	42	41	10	195
Holland,	6	2	3	0	0	0	11
West Indies,	8	9	4	0	2	0	23
Africa,	1	2	0	0	0	0	3
France,	10	11	1	0	0	0	22
Spain & Port.	0	0	1	0	0	4	5
English pos's.	0	0	3	0	0	0	3
	180	177	176	112	96	147	888

Cost of the wood, including expenses of distribution, 1083 3-8 cords, at an average of \$5 10 per cord, \$5525 14, viz:

City,	295 1-8 cords,	\$1505 12
Southwark,	246 4-8	1257 15
Northern L.	275 Incorp.	1402 50
Do.	8 4-8 Unincorp.	43 30
Kensington,	117	596 70
Penn T.	141 2-8	720 37
	1083 3-8	\$5525 14

Wood and bread were also distributed according to will, \$558 26.

The out door expenses during the year ending May 27, were as follows:

Furnished in money by visitors to the regular and incidental paupers in	
City,	\$6601 34
Southwark,	4487 87
Northern Liberties,	5103 87
Penn Township,	2340 34
Kensington,	2064 25
	\$20,597 67
Salaries of visitors,	3374 94
Do. To out door physicians and apothecaries,	2141 56
Medicine and leeching,—board of patients in the small pox hospital, and coffins for out door poor,	1537 23
Wood,	5525 14
Visitor's room rent,	375 00
	\$33,551 54

	Regulars.	Incident.	Total.
City, N. District,	106	33	139
S. District,	90	57	147
Southwark,	102	63	165
N. Liberties, Incorp.	119	72	191
Unincorp.	2	6	8
Penn Township.	44	35	79
Kensington,	36	36	72
	499	302	801

During the year ending Oct. 1832, 2287 cases were attended by the out-door physicians.

In the City,	734
Southwark,	739
Northern Liberties,	541
Kensington,	390
Penn Township,	481

2885

Of these 1261 were males, and 1624 were females, 2430 were whites, and 455 were colored.

2225 were cured.

163	relieved,
92	sent to almshouse,
112	removed.
225	Died,
68	under care.

2885

Of the cases 43 remained from former report.

174 occurred in October 1832.

157	Nov.	do
310	Dec.	do
320	January,	1833.
251	Feb.	do
269	March	do
226	April	do
225	May	do
211	June	do
247	July	do
238	August	do
214	Sept.	do

2885

From the Muncy Telegraph.

AN EXTRACT FROM THE UNPUBLISHED LIFE OF

CAPTAIN SAMUEL BRADY.

News having arrived at the camp of the Spies, which was then upon what is called Wheeling creek, on the Virginia side of the river, that the Indians had been on that side, and had driven away a great number of cattle and horses; Brady determined upon pursuing them and endeavouring to find out their place of rendezvous. He selected six of his men and one pet Indian, and started from camp.

It was in the month of October, which being the beginning of the hunting season, they had not cause to take with them much provisions; (as it has been previously remarked, the spies were all good hunters;) they crossed the river at the mouth of Wheeling creek, in their canoes, and pursued their course up what is now called Indian Wheeling creek (Ohio) until they thought they had got a sufficient distance from the river, when bending their course down the Ohio, examining every stream they crossed in their way, in order to find the trail of the Indians. Nothing of note happened on their march, until they struck the Muskingum river about (as has since been learned,) forty or fifty miles from its mouth. They there discovered a trail that had been made by horses and cattle, a length of time before; thinking that it led to Sandusky, all concluded in giving up the chase and going in pursuit of more fresh

game. Fortune, who seems always to give the spies an opportunity of exercising themselves, did not in this case disappoint them. On travelling down the river in order to make, if possible, some new discovery, they had gone perhaps about a mile, when the foremost of the company espied an Indian coming up the river with a dead deer *hopped* upon his back by a thong of dried deer skin, which was placed across his forehead and came down over his shoulders, so that the deer would rest upon his shoulders. It was determined by the company that he should (if possible) be taken prisoner. Brady commanded all the men to lie down where they then were, and sending a man by the name of Weitzel up the river about one hundred and fifty yards, he (Brady) was to wait until the Indian had passed by them a short distance, when he was to steal upon, and secure him and his load. The Indian was now within a short distance of them, and not aware of any danger, was jogging on slowly; no doubt he was oppressed with the weight of his load as it afterwards turned out to be a very large deer. Brady let him pass by a short distance, when with steps as light as a cat, he stole after him; when within a few feet of him he let out one of his most tremendous Indian yells; the Indian made a spring, when the strap slipping from the forehead downwards, came upon his throat, and the weight of the deer brought him instantly to the ground, when Brady jumped upon him and secured him, until Weitzel (who had been placed upon the Indian's path, in order if he escaped Brady, to shoot him, but not otherwise,) and the other men came up,—when they unarmed him, and having tied his hands they went back some distance from the river, and having brought the Indian's buck with them they encamped for that day and the following night. Brady knowing that one Indian would not be alone in that country in the hunting season, endeavored himself, and through his pet Indian, to gain information of their prisoner, if there were any other Indians in the neighborhood. But so sullen was he through that day and all night, he would only answer by an unintelligible grunt. In the morning, no doubt, finding the numbers of men not increasing, and that he was kindly treated by those present, he began with the pet Indian, and gave him what all thought a full and correct account; he told them that about two miles up the river on a small creek (as he marked out a draft of the country in the ashes,) there was an encampment of six hunters, he being the sixth; that they had with them only two horses, and they were going to stay there until the snow fell, when they were to move off a great way farther back. On receiving information, all agreed to go up and surprise the camp, and if they should succeed, they would load the horses with skins or other matters that they might find most valuable—and return home.

From the conduct of their prisoner, he being so very lively and apparently so accommodating as to be the conductor of his enemies into the camp of his friends, suspicion was raised in the minds of Brady and his men, that he either determined to betray them into the hands of his comrades, or otherwise was leading them wrong, and only waiting an opportunity to make his escape.

It so turned out that they were not wrong in their conjectures, as they had pursued their course but a short time when the Indian, who was no wise confined, but unarmed, made a spring from them, with a war whoop; he was immediately shot down by one of the men. They had no cause to rejoice in the death of this one treacherous savage, for in less than five minutes almost twenty Indians were discovered jumping and running hither and thither through the woods. The order was given to retreat with all possible speed, and you may guess as quickly obeyed. They followed the course of the river, closely pursued by the Indians, till darkness came to their relief; finding the pursuit was given up, and expecting it would be followed up by the break of day, Brady taking the lead turned quickly

to the left, and followed a course which he thought would take him home. In this country there are many marshes which were then partially dried up, but not so much so but they would receive the impression of a man's foot. Brady told his men they must immediately separate, each take a separate route, to meet at the mouth of a creek which emptied into the Ohio, about twenty miles from thence, and ordered each man to take loose the strings of his moccasins and tie them round his ankles alone, in order if they should come upon the trail of each other in one of the before mentioned marshes, they would be able to know by the impression then made, whether they were upon the trail of each other, or that of the Indians, as the Indians universally wear the string round and under the instep of the foot, and would leave a mark in the half dried mud sufficiently plain to be known.

They separated, and after enduring fatigues known only to the Indian hunters, they all arrived at the place of rendezvous, about 12 o'clock the next day. They had heard much of the savage yell through the night, but owing to the trail being rendered less intelligible by their separation, perhaps it to be attributed their escape. Upon arriving at the river, preparations were made, and they were soon on the other side. They had not been long over till their ears were saluted by the well known cry of the savages, and on looking across the river, they discovered two who were hallooing to the utmost extent of their voices upon their comrades, who were not slow in answering them. Brady and his men ascended the hill and waited till an opportunity was offered to see what number might cross the river. Presently, they observed twelve to make the attempt. It was immediately concluded that they would return quietly to the bank and give them a general fire. The Indians dived until within about twenty yards of the shore, when each man taking a deadly aim, fired upon them. The consternation was dreadful, as those who had been struck by a ball immediately sunk, or were seen to struggle with the current. And those who received no injury, made the best of their way to the other side. An irregular fire was kept up by Brady and his men, till the Indians were out of their reach; several were killed and wounded, others in all probability, were drowned before they reached the opposite shore.

The Indians who had remained on the Ohio shore, made immediate preparations to cross the river. Brady knowing that they were not likely to be taken in again, started for home with his men. They kept up the river during that day without being in any wise molested by the savages, and encamped upon the river bottom that night. The next morning was spent in procuring game, which was remarkably plenty in that country. In the after part of the day they pursued their course up the river. About an hour before sunset, one of the men having lagged behind, coming after the others, who by this time had got considerably ahead, heard a rustling in a large hemlock tree; he cast his eye up, and beheld a large Indian descending from out of the tree; he immediately adjusted his rifle, and the Indian soon fell to the ground. Brady and his men hearing the report of the rifle, immediately ran back to the place where this tragic scene had been acted, and upon learning all the circumstances, he gave orders to his men to all be on the alert, and he changed his course, and went immediately back from the river, for several miles; and marching by circuitous routes, they arrived safe at home the third day after the last mentioned action, and the eighth day from their departure, without the loss of a man.

Brady had concluded, and no doubt correctly, that the Indians thought that he and his men were yet down the river, and would soon move towards home. They had by forced marches at night, got ahead of him, and took this way of ascertaining the course he might take. They would fall upon him, when unguarded at night, and sacrifice him and his men to satisfy their vengeance.

And but for the happy circumstance of the man lagging behind, no doubt they would have succeeded.

The substance of this paper was written by one of the spies who was in company with Brady in the adventure narrated.

KISKIMINETAS.

ACCELERATED MOVEMENT UPON CANALS.

INTERESTING EXPERIMENT.—On Saturday afternoon a trial was made upon the Paddington Canal, of a new canal boat. The object of the trial was to show that a boat built in a different form, and constructed of other materials than the ordinary canal boat, might, by using superior horses, be drawn along the water at the rate of 10 miles or more in an hour, instead of two miles an hour, the pace of the boats now in use. The day was remarkably fine. The portion of the canal more particularly appropriated to the experiment was from the third to the seventh mile from Paddington. The boat was constructed of sheet iron, rivetted hot. It was 70 feet long by $5\frac{1}{2}$ feet wide; and painted green and white. The boat was provided with an awning made of white twilled cotton cloth, which had been rendered semi-transparent with oil. The awning was so set up that the top was extended over light wooden arches, which rested upon a thin upright frame of rod iron; and the sides, in the form of curtains, were made to slide at pleasure upon parallelled rods placed at the upper and lower ends of the curtains. The rudder was of a single sheet of iron, of about a yard in length, and was moved by a tiller made of about two yards of stout rod iron. Two steady hunting horses, each mounted by a lad, and the two harnessed to a towing rope of about 150 feet in length, constituted the moving power. The number of persons on board the boat was 48, including the crew, the gentlemen making the experiment, some of the principal members of the grand Junction Company, and the visitors, amongst whom were Mr. Telford, Mr. Babbage, Captain Basil Hall, Mr. Hellyer, and Mr. Gill; a lady also made one of the party on this interesting occasion. Certain distances were measured on the canal bank, and marks set up at the ends of them. At each of these places also, a man was stationed with a gauged rod in his hand, which he held, so that, upon the boat's passing, he might instantly read off the height of the wave caused by the disturbance of the water. When all things were ready on the shore, and the party had embarked, the boat was put in motion. The speed from one station to another, taken by seconds' watches, showed, for some time, a progress at the rate of thirteen miles an hour. The horses, however, soon began to tire, and the speed fell to eleven, and ultimately, in returning for the third time, to ten and a quarter miles in the hour.

The experiment, as far as it goes was attended with complete success. The motion is the easiest imaginable. The boat glides along the water so smoothly and noiselessly, that its progress is almost imperceptible to those on board whose attention is not extended to external objects. A relay of horses will be required at the end of every four or five miles. The banks of the canal will have to be edged for nine or ten inches above the ordinary level of the water with hard materials, and the towing-path to be slightly sloped outwards. Improvements, no doubt, will also be made to facilitate the passage of locks, and in the mode of attaching the horses to the boat, so that the animals may exert their power upon the boat disencumbered of the awkwardness of the direction in which, under the present form of towing, they are made to put forth their strength.—*London Atlas.*

From the Pittsburgh Gazette.

MR. GRAHAM.

The statement of Mr. Graham, of Glasgow, respecting the rapidity of sailing on the Paisley canal, cannot

be doubted as a matter of fact; and it is equally interesting and curious. As a matter of fact it is unquestionable, because he is in the midst of criticism, the subject is one of serious competition, and it is public as the light of day.

Your last paper states that our practical men, in this city, are much pleased with the prospect which Mr. Graham's statement holds out, and it attempts to stimulate them to construct a proper boat, and make an experiment on our Pennsylvania Canal. The following reflections are intended to elucidate the principle of the rapidity of canal motion, and to estimate the probability of success in our vicinity.

On the Ohio river our steam boats frequently pass along at the rate of ten miles an hour. It, no doubt, has never been much attended to by Captains, whether, when approaching that speed, the billow, at the prow of the vessel, was diminishing—the principal cause assigned by Mr. Graham for the facility of motion which is required—nor has it ever been observed, that when once that motion is attained, less fuel is necessary to keep up this velocity than was required before, to produce six miles an hour. Though little attention must necessarily have been paid to these things, yet, had they taken place, they could not for years have escaped observation. The rapidity mentioned by Mr. Graham, as his own language indeed purports, is restricted to canals. Large rivers and open waters are here not within the scope of our inquiry.

How do canals produce the curious and happy effect which was by all philosophers so little anticipated? It is a truth, demonstrated by every writer on hydrostatics, that resistance is proportional to the square of the velocity. If you assume a given velocity, and then double it, twice as many particles are struck in the same time, and with twice the velocity; and hence the resistance in the latter case is fourfold that of the former. In this instance, however, it is understood by Dr. Lardner and every other writer, that the area of surface impinging on the particles of the resisting fluid, is the same, and that all other circumstances are equal.

The fact, mentioned by Mr. Graham, though, as we shall show, not opposed to this doctrine, agrees not with what some philosophers have asserted respecting a confined fluid. They have asserted that, in a confined fluid, the resistance is greater than where it is permitted indefinitely to diffuse itself—greater in a river than in an expanded lake, and greatest of all in a narrow canal. They never limited this to certain velocities, but it was with them a principle applicable to all cases.

Mr. Graham intimates that, if the velocity were infinitely great, the resistance would be proportionately diminished. A cannon bullet, by its great velocity, when fixed very obliquely on the surface of water, skips over it, and as shown by its range, it does not meet with very great resistance. A stone, skillfully thrown from a schoolboy's hand, will wet its edge on the surface of the tranquil stream, and at last sink nearly at the distance to which he could have thrown it through the air—rapid motion over the surface of water does diminish resistance. We doubt, however, whether this could ever have been ascertained by calculation on the properties of the motion of a vessel in a canal, if it had not been ascertained by observation. Ingenious men seeing that when a vessel is stemming a ripple, and is pushed against it with great force, that it is less immersed in the water than when she is lying at her ease on a tranquil surface, might form some conjecture that, in a narrow canal, where the banks would tend to confine the fluid, as the impetus of its motion is here doing, she would be borne upwards on its bosom; and so they might begin to make experiments; but it was the actual sight alone which could give them full confidence. Experiments might indeed be made in the narrow canal above the breast wheel of a mill, measuring the velocity of the current, the breadth of the trough, and the depth to which a well formed model of a vessel, when moored

there, would sink, compared to what it does in still water, and from this, calculations could be easily made, when the breadth of a canal, and the velocity of the vessel are given, to show its elevation artificially produced by velocity of motion.

The narrowness of the canal is the whole secret of the happy discovery. A sudden impression being made in the centre of the canal, drives the particles horizontally against its sides: for an instant they resist, and the water has not time to rise upwards; the boat on it, however, must rise; the boat suddenly started does so; and is borne along, while the requisite velocity is maintained, without a possibility of sinking deeper in the water; and with comparatively less resistance in proportion to the velocity of the motion. There is more than this—there is a certain breadth of the canal, a form and length of the boat, and a velocity of motion which will cast the reflux wave from the sides of the canal into the vacancy produced immediately behind the vessel, which aids much her velocity. * The wave disappears before, because of the elevation of the vessel in the water; and it is little destructive to the canal, because it is thrown into the middle of its channel behind.

Will the Pennsylvania canal answer as well as the Paisley canal? The Paisley canal is constructed for vessels of only 7 feet beam and 70 in length. A narrow canal has the greatest advantages, and the more uniform, it is the better. Ours is at present far from uniform, and the very extended places often met with in it, as well as the dams, would permit the wave to accumulate at the prow, and consequently the vessel to sink deeper in the water. Another serious difficulty, hereafter to be encountered, is the passing, with safety, boats proceeding in the opposite direction when the velocity is great. Rail roads are double, and the Paisley canal has not been very much tried to give us an idea of the safety in this respect in a great business place.

In a comparison with rail roads the locks on canals would always be a serious hindrance; for rail roads can admit of ascent and descent, to a certain degree, without interrupting the vehicle upon them: canals can never be without locks; and ours, from this to Johnstown, has as many, as in passing them, would nearly occupy the whole time required for the Liverpool rail speed to accomplish the whole journey. Rail roads are a great modern discovery, and wherever a canal can be run they can be made; and in many places where water communication is altogether unattainable, they are at the service of the public. In a word, our mechanics here should understand that the Paisley canal for ten miles—from three miles southwestward of Paisley to Glasgow—is all on one level. The travelling between Paisley and Glasgow, which is seven miles, from the populousness of the cities, Glasgow containing upwards of 200,000 of a population, and Paisley nearly 60,000 is very great. The manufacturing nature of that part of the country makes Paisley a mere appendage of Glasgow, and Johnstown, three miles west of Paisley, where the first lock commences, a workshop of both cities. To run a boat with great velocity in the immense intercourse of such places, is possible from the level of the canal, and will be profitable from the crowds of passengers always to be found.

The material of which the boat is made, and its peculiar construction, must certainly contribute no less than the narrow channel of the canal, to the velocity mentioned by Mr. Graham. Is it not wonderful, that in Holland, where there are so many canals, differing too in their breadth, and where horses have been so long employed in dragging them, some of these horses did not, some time or other, set off with that velocity which diminishes resistance? Their boats were not made of the right material and construction. The breast of the prow should copy as much as possible after the form of the breast of those waterfowl which can skim over the surface of the ocean with delightful velocity, and should be, as you suggest, of iron.

B.

ROBERT FULTON.

The name of Fulton is probably familiar to most of the present generation; yet few we apprehend, have any knowledge of his history beyond the single fact that he was the author of steam navigation. A few particulars relative to him therefore may not be altogether uninteresting. He was born in Little Britain, Lancaster county, Pennsylvania, in 1765. At a suitable age he was apprenticed to a jeweller in Lancaster, where he accidentally caught a taste for painting—in the cultivation and practice of which he was subsequently quite successful. His passion for the art induced him to relinquish his trade and make a voyage to London, where he was cordially received by Benjamin West then President of the Royal Academy, and with whom he maintained a constant friendship till death separated them. In painting, Fulton's success did not equal his expectations; and he therefore gradually withdrew his attention from it, and devoted it to the Mechanic Arts. As early as 1793 we find that he had conceived the project of propelling vessels by the power of steam; as he addressed a series of letters at that time to Earl Stanhope, on that subject, and on the more general one of Internal Improvement; these letters were favorably received and duly acknowledged by Stanhope.

During his residence in England the British Government granted him patents for many useful inventions in the mechanic arts. He then crossed over to France, and spent several years at Paris, where he devoted himself to the study of several of the modern languages, to philosophy, and the higher branches of mathematics. While in Paris he lived on terms of great intimacy with Joel Barlow, the author of our national poem, the *Columbiad*; and in 1797, in conjunction with Barlow, he made his first experiment in submarine explosion. In 1806 he returned to this country, and prosecuted at New York his investigations relating to steam navigation and submarine explosion. A full explanation of the latter subject was published in 1810, under the title of "*Torpedo War*." The country was then on the eve of the war with England; and in 1813 the government placed in his hands an appropriation for the steam ship, "*Fulton the First*," which was built under his superintendence, and excited universal admiration for its tremendous power as an engine of war.

His first experiment in steam navigation was made on the Hudson river in 1807. With the aid of Robert R. Livingston, he constructed a boat in which he made a trip to Albany. Speaking of this experiment he said:—"The morning I left New York, there were not perhaps thirty persons in the city who believed that the boat would move one mile an hour, or be of the least utility. And when we were putting off from the wharf, which was crowded with spectators, I heard a number of sarcastic remarks. This is the way you know, in which ignorant men compliment what they call philosophers and projectors." But the multitude was disappointed, even his most sanguine anticipations were exceeded. His vessel "*walked the waters like a thing of life*." He made the trip from New York to Albany, in 32 hours, and back again in 30 hours.

The following account of this first steamboat was published at the time, and was undoubtedly a reality, although it was tinged with the marvellous. "Passing up the river she excited the astonishment of the inhabitants on the shore, many of whom had not heard of an engine, much less of a steamboat. She was described by some who indistinctly saw her pass in the night, as a monster moving on the waters, defying the tide, and breathing flames and smoke. Her volumes of fire and smoke by night attracted the attention of the crews of other vessels. Notwithstanding the wind and tide were adverse to its progress, they saw with astonishment that it was rapidly approaching them; and when it came so near that the noise of the machinery and paddles was heard, the crews in some instances sunk beneath their

decks from the terrific sight, and left their vessels to go on shore, while others prostrated themselves and besought Providence to protect them from the approaches of the horrible monster, which was marching on the tide, and lighting its path by the fire it vomited."

Fulton died on the 24th of February, 1815, in the 50th year of his age, and in the midst of his usefulness—but almost in penury. Twenty-five years only have elapsed since he made his first voyage on the Hudson in the steamboat Clermont, and the same trip is now made in less than one-third of the time in which he made it: and instead of a solitary boat on that river, hundreds of them, like floating palaces, are daily traversing our rivers, lakes, coasts and seas of the eastern world—all most annihilating time and space by the celerity of their movements. The memory of such a man should be cherished by his countrymen—it is the only patrimony which he bequeathed his children—*Village Record*.

Extract of a letter to the editor of the United States Gazette, dated

NAZARETH, May 24, 1833.

The passengers in the stage which left Wilkesbarre, this morning, at 4 o'clock, for this place, were overtaken a little after daylight by a large wolf, which followed the stage for between two and three miles, apparently attracted by a small dog, belonging to the driver, and which was running by the side of the stage. There were several passengers, among whom were two ladies of Philadelphia; one of the passengers on ascending the mountain over which the road passes, got out and walked some distance in the advance of the stage, and had resumed his seat but a few moments before the wolf made his appearance. The animal had quite a savage look, and exhibited a set of teeth that wanted only an opportunity of doing execution, and doubtless was watching to make a breakfast of the dog, which however, managed to keep out of harm's way. The appearance of wolves along the roads in this part of the country is quite an unusual occurrence.

IMPROVEMENTS IN READING.

More than 40 buildings, principally brick dwellings, are either now going up, or will shortly be commenced. The venerable little white store of Gen. Keim, on the corner of Callowhill and Penn streets, is to give place to a superb brick structure, Philadelphia Market Street fashion, and similar to the beautiful building of Mr. Weitzel. In old times, it was the principal Hotel in that place, the quarters of Conrad Weiser, who there delivered to the Indians their presents. There the war-song of the savage was sung—the war-dance wound down, and the calumet of peace finally smoked. It is a pity to suffer these ancient recollections to pass into oblivion.—*Reading Times*.

The wife of Mr. PETER D. MILLER, in Upper Bern township, Berks county, was safely delivered of *three sons at one birth*, who with the mother are all doing well.
May 7, 1833.

DIED, on the evening of the 22d inst., at his residence, in Mifflin township, Allegheny Co. Mr. ALEXANDER SNODGRASS, in the seventy third year of his age.

The deceased was one of the earliest settlers in that township, and, during his long residence there had secured the respect and esteem of an extensive circle of acquaintances.

From the Reading Chronicle.

AN OLD RESIDENT.—On the 5th inst. in Amity township, Berks county, I met with an old acquaintance, on the plantation of Jacob A. Beyer, Esq. a *Land Tortoise*, having engraved on its shell, "G. Lohr, A. D. 1771." Mr. Beyer, saw the identical tortoise *thirty-one years ago*,

and some one of his family have noticed it nearly every succeeding year, excepting the last, when it appeared to be missing. Since first notice, it does not appear to have gone out of a circumference of 50 rods, and it has much increased in size. Sixty-two years have undoubtedly elapsed since it was marked as above, and how old it may have been before that, cannot, probably, be ascertained; though we may reasonably suppose its age to equal that of the oldest of our *Revolutionaries*, and it bids fair to outlive the youngest of those worthies.

HENRY BOYER.

AMITY TOWNSHIP, May 8, 1833.

On Sunday morning 26th May, 279 strangers took breakfast at the table of Mr. Gossler at Columbia and nearly an equal number the next day; other houses had also their share.—*Columbia Spy*.

A disease going by the name of *Scarlatina* or *Putrid Sore-throat*, which prevailed for some time in the counties east of us, is now in our neighborhood attended with considerable mortality, and mostly among children, although in some instances grown persons have been attacked. In some of its attacks it is said to equal in severity some of the worst cases of Asiatic Cholera. It is of the utmost importance to have medical aid called in when the first symptoms have shown themselves, as longer delay may prove dangerous.—*Clearfield Banner*.

THE REGISTER.

PHILADELPHIA, JUNE 8, 1833.

An "Omnibus" called Wm. Penn, commenced running on the 1st instant between the Coffee-house and Schuylkill every hour—it is owned by Mr. Reeside, and is the first of the kind established in this city, and has thus far met with good success. It will be found so convenient an arrangement, that other persons will probably be induced to set up similar conveyances.

We observe that the article by Mr. Graham on increased velocities on canals, which we believe we were the first to introduce to public notice, is pretty generally copied into the papers throughout the state, and at Pittsburg especially has attracted much attention, and called forth several articles on the subject, one of which is this week inserted. In the present number will be found an account of a recent experiment on the Pad-dington canal which proved equally successful with that on the Paisley canal.

In the present number we have given the annual report of the acting committee of the Society for alleviating the miseries of prisons and a portion of the tables accompanying it, similar to those which we have heretofore published, exhibiting the progress of crime, &c. Some statistical facts in relation to the relief afforded to the out-door poor by the Guardians are also given. Although these statements occupy a considerable space, they will no doubt be considered valuable. They are obtained at an expense of much time and labor, and are such as are frequently inquired for by philanthropists and others, not only of this city, but also of other cities and of foreign countries.

HAZARD'S REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

VOL. XI.—NO. 24. PHILADELPHIA, JUNE 15, 1833. NO. 285.

REPORT ON PRISONS.

(Continued from page 359.)

[B. 4.]

Philadelphia Prison, 1832.

In confinement January 1st, 1832, males 412
females 83

—495

Received during the year, males 138
females 33

—171

666

Discharged during the year, males—

By expiration of sentence 150

“ “ Pardon 21

“ “ Death 26

“ “ Escaped 1

198

Females discharged in 1832 64

—

262

Remaining in prison on the 1st of Jan. 1833 404

Of those in prison January 1st, 1833, there were—

White males 203

Coloured males 149

—

352

White females 8

Coloured females 44

—

52

Total males and females 404

Males of the following age—

14 years and under 6

14 to 15 8

15 “ 20 12

20 “ 30 184

30 “ 40 107

40 “ 50 21

50 “ 60 10

60 “ 70 3

70 “ 80 1

—

Number of men, 352

Females—

20 years and under 12

20 to 25 9

25 “ 30 14

30 “ 40 13

40 “ 50 3

50 “ 60 1

—

Number of women, 52

Of those received there were—

males 4

under 14 3

14 to 15 3

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15 “ 20 7

20 “ 25 49

25 “ 30 30

30 “ 40 29

40 “ 50 9

50 “ 60 4

60 to 70 2

70 “ 80 1

No. received in 1832, males 138

Females

from 15 to 20 10

20 “ 25 8

25 “ 30 6

30 “ 40 4

40 “ 50 3

50 “ 60 2

No. received in 1832, females 33

Place of Nativity of the Male Prisoners.

Vermont 1

Delaware 19

Pennsylvania 155

England 7

Ireland 18

New York 30

Maryland 27

Hamburg 2

New Jersey 51

Virginia 10

Connecticut 9

Quebec 1

Germany 4

D. Columbia 1

Scotland 6

Ohio 1

Port au Prince 1

St. Marks 1

Africa 1

Georgia 1

Spain 1

France 2

Belgium 1

North Carolina 1

Louisiana 1

Total number of males 352

Offences of those received during the year—

Larceny and breach of prison 1

Passing counterfeit money 1

Forgery 1

Conspiracy to steal 1

Perjury 1

Assault and battery to kill 1

Breach of prison 1

Larceny 164

Total, 171

(See page 371.)

TABULAR VIEW OF CASES.

Admitted into the Hospital of the Philadelphia Prison, giving the number of Diseases in each month, and the number of Cases under each morbid affection, for the year 1832.

MONTHS.	No. of cases in each month.		No. of deaths in each month	
	1832.	1833.	1832.	1833.
Jan'y.	1	3	1	4
Feb'y.	2	1	1	1
March.	1	1	1	5
April.	2	1	1	20
May.	1	1	1	17
June.	2	1	1	9
July.	3	2	1	5
August.	2	5	1	29
September.	1	6	1	35
October.	2	2	1	42
November.	1	3	1	5
December.	1	1	1	15
Number of Cases.	1630	27	275	37
Deaths.	2	3	37	
Cures, &c.	1430	2	227	
Cases remaining 1st January, 1833.	1	1	11	
Febris.	1	3	21	
Febris Intermittens.	2	1	23	
Febris Remittens.	1	1	19	
Typhus.	1	1	1	
Cynanche Tonsillaris.	1	1	1	
Cynanche Parotidea.	2	2	1	
Catarrhus.	3	3	1	
Influenza.	3	3	1	
Pleuritis.	1	1	1	
Pneumonia.	1	1	1	
Hydrothorax.	1	1	1	
Hæmoptysis.	1	1	1	
Phthisis.	4	4	1	
Gastritis.	2	2	1	
Enteritis.	1	1	1	
Ascitis.	1	1	1	
Arthritis.	1	1	1	
Cholera.	3	3	1	
Cholera Epidemica.	1	1	1	
Obstipatio.	1	1	1	
Colica.	1	1	1	
Dysenteria.	1	1	1	
Diarrhœa.	1	1	1	
Hydrops.	1	1	1	
Anasarca.	1	1	1	
Hemicrania.	1	1	1	
Cephalalgia.	1	1	1	
Gastralgia.	1	1	1	
Hæmorrhagia.	1	1	1	
Hæmaturia.	1	1	1	
Urticaria.	1	1	1	
Atrophia.	1	1	1	
Vertigo.	1	1	1	
Epilepsia.	1	1	1	
Paralysis.	1	1	1	
Rheumatismus.	1	1	1	
Scrofula.	1	1	1	
Eruptio.	1	1	1	
Rubeola.	1	1	1	
Lumbago.	2	2	1	
Tonsillitis.	1	1	1	
Debilitas.	1	1	1	
Ptyalismus.	1	1	1	
Ophthalmia.	1	1	1	
Abscessus.	1	1	1	
Vulnus.	1	1	1	
Syphilis.	1	1	1	
Contusio.	1	1	1	
Morbus Cerebri.	1	1	1	
Mania a Potu.	1	1	1	
Dyspepsia.	1	1	1	
Abortio.	1	1	1	
Dysuria.	1	1	1	
Periostitis.	1	1	1	
Erysipelas.	1	1	1	
Prolapsus Ani.	1	1	1	

[B. 5.]

Annual Sick Report of the Philadelphia Prison for the year 1832.

I. SICK IN HOSPITAL.

Remaining sick on the 1st of January, 1832 21
 Taken under treatment during the year 254

Total under treatment, 275

Of this number there were—

Cured 193
 Discharged, pardoned 2
 “ relieved 24
 “ time expired 8
 Died 37

Total terminated cases, 264

Remaining under treatment on the 31st Dec. 1832 11

Monthly Statement of Admissions and Deaths.

	Admissions.	Deaths.
January,	23	4
February,	19	1
March,	20	5
April,	17	6
May,	9	0
June,	29	5
July,	35	4
August,	42	5
September,	15	3
October,	15	2
November,	15	1
December,	15	1
Total,	254	37

Diseases in the Fatal Cases, with the number of Deaths from each Disease.

	Deaths.
Pulmonary consumption caused	10
Dropsy of the chest	4
Inflammation of the lungs	3
Inflammation of the bowels	3
Typhus fever	3
Diarrhoea	3
Dropsy	2
Fever	2
Mania a potu	1
Scrofula	1
Disease of the brain	1
Dysentary	1
Epidemic cholera	1
Atrophy	1
Wound	1
Total,	37

	White.	Colored.	Total.
Males	8	18	26
Females	1	10	11
Total	9	28	37

II. Sick in Quarters.

Remaining on the list of sick in quarters, 1st January, 1832, 23
 Received on the list during the year, 1079
 Total under treatment during the year, 1102

Of this number there were—

Cured, 999
 Transferred to the sick in Hospital, 89

Total terminated and transferred cases, 1088

Remaining under treatment on the 31st December, 1832, 14

The average number of prisoners for the year 1832, has been 446. The deaths having been 37, gives the mortality for 1832, at 8.2 per cent.

FRANKLIN BACHE, M. D. Physician.

Fourth Annual Report of the Board of Inspectors of the Eastern Penitentiary of Pennsylvania.

To the Honourable the Senate and House of Representatives of the Commonwealth of Pennsylvania.

The inspectors of the Eastern penitentiary, in presenting their fourth annual report, congratulate the Legislature, and their fellow citizens, on the success which has thus far attended the experiment of solitary or separate confinement of convicts, connected with labour and moral and religious instruction.

It is a point now so generally conceded, as to become trite and familiar, that in the congregation of prisoners, consists most of the causes of increase of crime. This fact became early known to those who made penitentiary punishment a subject of reflection; and to obviate this difficulty, in the establishment of a perfect system, was the great desideratum of philanthropists. Classification was attempted, without success, owing to the unrelaxing vigilance necessary to keep up the system; the difficulty of judging the nature and disposition of the individuals to be thus classed; and the natural proneness, in those who become subject to the criminal laws, to degrade to one general level, all who come within their scope and influence.

In the Eastern Penitentiary, the important principles and main purposes of penal enactments are, we think, fully carried into effect.

The reformation of offenders, and the prevention of crime, by deterring others from its commission, constitute the great objects of the Pennsylvania system of prison discipline.

Our official visits furnish us with abundant testimony of the disposition to reform, in nearly all who are confined. To make this disposition operative, requires much management, and various treatment; and while, as we think, we succeed with some, and do not entirely fail with others, it is made apparent to us, that the hope of effecting a change in the morals of such as compose our criminal population in a congregated state, is entirely fallacious. We mark, generally, that at first the prisoner indulges in morose or vindictive feelings, and is guilty of turbulent and malicious conduct; but after a few weeks, he adopts a more subdued tone, becomes reasonable, and his countenance indicates a more amiable state of mind; is disposed to talk of his past life as one of misery and folly; begins to think that the barrier between him and a good reputation is not impassable, and that *there are* those in the community, whose prejudices against the condemned are not so strong as to induce the withholding a friendly countenance to his attempts at restoration. In many, the retrospect of life becomes a horrible and loathsome subject of reflection—the sense of shame and feelings of remorse drive them to some source of consolation, and the ordinary means of stifling and actively reproving conscience being denied by reason of their solitariness, the comforts of the Bible and the peace of religion are early sought for.

Our anxiety to obtain a knowledge of the operation of the system, has caused a watchfulness of the conduct of those who have been discharged, and attempts are made to trace their progress in life. With very few exceptions, the result has been satisfactory. Some, we

have every reason to believe, are nobly striving to repair their past errors, and appear to be in the way of gaining an honest reputation. Some are living orderly and regular lives; and appear to have profited by their incarceration. There may be some on whom no change has been wrought; for we do not presume that all will be radically reformed; but of such we would say, that the term which they spent in their lonely cell has made such an impression, as to induce them to bid a long farewell to the state where legislators have provided a penal code, involving so many privations. None who have been discharged from the penitentiary, have as yet returned to it.

We draw an argument in favour of the operation of this mode of prison discipline in preventing crime, from a comparative view of the criminal population in the years 1826, and 1832. We have not, at this period, a greater number of convicts in Pennsylvania, than we had in 1826. A glance at the criminal reports, for a series of years prior to the last date, will show a gradual increase of convicts: since then, the number has remained stationary, although the population of the state has rapidly advanced.

Some testimony may be gathered from a view of the business of our city police. The infrequency of crime of a serious character, has rendered the duties for our police officers comparatively light. It is within the memory of every citizen, that a few years past, combinations of rogues of every stamp called forth all the vigilance, activity and courage of our constables. Where are they now? Where are the desperate men whose names are notorious, and who blackened the calendars of former years? departed—lost sight of, or only serving now to “point a moral or adorn a tale.”

We learn from many sources, that a wholesome dread of the misery of loneliness prevails among criminals, teaching them to avoid the crime or shun the state that brings such punishment. The following extract of a letter, which fell accidentally into the hands of our warden, indicates strongly the views that are entertained upon this subject.

“Walnut Street Prison, Philadelphia.

“Dear Mother—The law has passed, that all crimes now committed shall be sentenced to that terrific prison, (the Eastern, or Bush Hill Penitentiary.) The unfortunate being who is sent there will be immured in a solitary cell, there to exist in seclusion and misery until his sentence expires, or death ends his sufferings. This prison will be done away with in a year from March next; most of the men that shall be in this house at that time, will be sent to Bush Hill. Therefore, my beloved and excellent mother, commence now, and let nothing deter you from persevering, until you obtain for me a pardon.”

The mode of treatment in the Eastern Penitentiary is of a mild character. The severity used in other prisons, in which large bodies of men are to be kept in subjection by force or power, is not required here. The warden and his officers are considered by our prisoners, not as tyrants or cruel oppressors but as their friends. The voice of kindness is that which reaches their ears, and most successfully affects their hearts; suitable labour, daily exercise, cleanliness in their persons and apartments, with wholesome diet, and above all, religious instruction by personal conversation and the public preaching of the Gospel, all combine to produce health of body, and moral renovation of the mind. It has been called, by one who was once a subject of its wholesome regulations, “a humane institution;” and we believe many more are prepared to unite in the same testimony. It may not be unacceptable to know the opinions of some who have left the institution; we therefore subjoin a few extracts from letters received from these men since their discharge.

“Accept, my dear sir, my most grateful thanks for the kindness which you have shown me while under

your charge; and if a life of integrity, and one spent in the fear and service of the Lord, will be considered by you a sufficient return for it, I am in hopes that you will receive that compensation from

Yours, respectfully.”

SAMUEL R. WOOD, Esq.

To another officer of the institution, one writes: “I wish to inform you, that I have not forgot your visits and advice to me, as well as our first meeting; and, sir, I hope you will remember me in your prayers, and be assured I still pray myself, and hope the Lord will bless you for your kindness to me.”

Another concludes his letter with warm expressions of gratitude to all the officers of the prison, mentioning them by name, and returning thanks for the past kindness.

We rely on the inculcation of religious truth on the minds of our prisoners, and we ask the attention of the Legislature to the subject of providing a means of instruction in religion, and the elements of education of a more permanent character than has yet obtained in our Institution. We think this point of great importance, and we feel it would be acknowledged such by all who could witness the deplorable deficiency in the rudiments of school learning, and the anxiety to be instructed made manifest among the prisoners.

We are under many obligations to good and pious individuals, who have volunteered the task of administering to the moral wants of those under our care, but it cannot be expected that so much time and attention can be gratuitously bestowed as their situations require, or as would work advantageously to the establishment. Much good has, however, been done by the ministerial efforts of the Rev. Samuel W. Crawford, who continues to labour among these unhappy men, and to whom we thus publicly express our thanks. The Rev. Mr. Irvine has, during the last five months, also preached regularly to some portion of the prisoners, and occasionally visited them in their cells, yet we are not content with these services, because we perceive by the good done, that much greater good could be effected by a regular stated instructor.

On the subject of education, the warden’s report (which is annexed) contains some remarks, together with opinions on the character of the inmates of the prison, reasons for the diminution of crime, and views of the operation of the system upon criminals generally, which we refer to as corroborative of those founded on our experience.

We have not deemed it proper to solicit the pardon of any prisoners under our care during the last year, excepting two who were insane when committed. The nature of our prison precludes the necessity of a system of espionage, which prevails under the old plan, and we have no rewards for the betrayal of plots and machinations. There has come no case under our notice which can claim mitigation for some mistake of evidence, or for palliatory circumstances developed subsequent to conviction.

The certainty of punishment has much to do in preventing crime, and it is not inoperative in inducing old convicts to avoid this prison, that the prospect of a pardon is surrounded with so many difficulties.

The inspectors feel great satisfaction in announcing that the profits of the past year meet the expenses of the Institution, excepting the salaries, and we entertain the belief heretofore expressed, that when the entire plan shall be completed, and the prison fully occupied, a revenue will arise from the labour of the convicts.

The report of the warden contains some views upon this subject, together with much valuable information, and many important suggestions.

The report of the physician annexed, exhibits the state of the health of the prisoners during the last year, as well as his opinion of the effect of the system on mind and body. We take this opportunity to advert to

the fact that there appears to be a disposition in the authorities of some of the counties, to make use of the prison as a substitute for a bedlam. We have received prisoners whose state of mind make them irresponsible to the law, and who are only fit subjects for some lunatic asylum. The two cases of insanity mentioned in the physician's report, are known to have been labouring under mental alienation some time prior to their conviction.

The report of the building committee, annexed, exhibits the quantum of building executed during the last year, the work remaining to be done, and the sum necessary to complete the plan.

The annual tabular statement required by law is herewith presented, whereby it appears that 34 persons have been sentenced to this institution during the last year. Their offences are as follows:—horse stealing 10; burglary 7; manslaughter 2; forgery 2; perjury 1; subornation of perjury 1; robbery 1; arson 1; rape 1; unnatural crime 1; passing counterfeit money 2; larceny 5.

And from the following states and countries: Pennsylvania 12; New Jersey 7; New York 5; Maryland 3; Delaware 2; Ireland 2; France 1; England 1; Switzerland 1.

In former reports the board have already expressed to the Legislature its judgment of the practical operation of this system of penitentiary punishment, and it is with great pleasure that it now is enabled to testify that another year's experience has confirmed its former impressions. The institution has also been recently visited and carefully examined by committees from each house of the General Assembly, together with numerous members not on the committees, and the board feel that a fuller statement of facts and impressions, in regard to the system, will be deemed unnecessary, as the reports about to be made to each house by its own committee must tread upon much of the ground which would be occupied by the members of this board, who, like themselves, are only to be regarded as witnesses of the manner in which the institution has operated.

On the whole, we trust and believe that Pennsylvania, who led the way of reform in penitentiary punishment, will not withhold her efforts to complete a system so well adapted to reform offenders, and restore them to society, industrious and useful citizens.

CHARLES S. COXE, President.

(Attest,)

THOMAS BRADFORD, Jr. Secretary.

Physician's Report.

To the Inspectors of the Eastern Penitentiary, the physician respectfully presents his annual report for 1832.

The health of the prisoners for this year has, upon the whole, been good. The complaints which have occurred most frequently, have been intermittent fever in the spring and autumn; disorders in the bowels in the summer; and catarrhs and rheumatic pains in the winter. But one case of fever of a serious type has occurred.

No facts have been developed during this year to show that the mode of confinement adopted in the penitentiary, is particularly injurious to health. It has the effect, generally, of rendering the frame less robust; but, at the same time, prevents the operation of numerous causes of disease, to which, persons of the class which generally fill our prisons, are usually exposed, either from necessity, or from the indulgence of vicious habits. The circumstance, indeed, of being withdrawn from the influence of the severer atmospheric vicissitudes, such as wet and cold, which are prolific sources of disease with a large portion of the community, would, of itself, more than compensate for the operation of any unfavourable causes to health, experienced in this prison. But, when it is considered, that many of the individuals sent to our prisons, have been in previous habits of drunkenness and debauchery, the com-

parative healthfulness of the confinement and mode of discipline must be apparent.

The following table, exhibiting the comparative health on admission and discharge, of the twenty prisoners who have been liberated during this year, fully confirms the views here expressed.

No. of prisoner.	State of health when received.	State of health when discharged.
10	Insane.	Insane.
12	Good.	Good.
59	Good.	Good.
15	Good.	Good.
18	Subject to asthmatic symptoms.	Same as when received.
17	Good.	Good.
75	Idiotic.	Idiotic.
63	Good.	Good.
68	Robust.	Excellent.
22	Good.	Good.
24	Good.	Good.
25	Good.	Good.
48	Insane.	Insane.
3	Good.	Better than on admission.
62	Not good.	Improved.
41	Good.	Good.
44	Good.	Good.
93	Not robust.	Better than on admission.
91	Imperfect.	Better.
90	Good.	Good.

Four prisoners have died within the year. The state of health of these prisoners on admission, and the cause of death in each case, is shown by the following statement.

No. of prisoner.	State of health on admission.	Cause of death.
112	Predisposed to insanity.	Mania.
114	Good.	Hemorrhage.
40	Good.	Consumption.
49	Insane.	Suicide.

Prisoner No. 112 was received on the 16th of February, 1832, apparently well. But the appearance of good health proved fallacious; for after the lapse of a month, he began to show symptoms of aberration of mind, and on the 28th of March, less than six weeks after his reception, he was in a state of such violent mental excitement, as to require to be placed in a dark cell. His insanity continued, with but an unimportant abatement in April, until the 26th of May, when he died. These facts prove conclusively, that this prisoner, though apparently well on admission, was strongly predisposed to mania, and on the verge of an attack of that disease.

Prisoner No. 114 was received on the 22d of March, apparently in good health, and died on the 31st May, after a confinement of ten weeks. The death of No. 40 took place on the 4th of August, after an imprisonment of nearly two years. No peculiar causes can be alleged to have operated on his system in this penitentiary, to produce his disease. Consumption is a very prevalent complaint in prisons, and, indeed, among our population at large; and the prisoners of this penitentiary will necessarily be subject to it, especially if, as in the case of the prisoner here referred to, they have spent a considerable portion of their lives in other prisons.*

The physician, as well from his personal observation, as from the evidence which he heard given before the coroner's inquest, is perfectly satisfied that prisoner No. 49 was labouring under insanity when received into the penitentiary, and that he committed the act of self-destruction under the influence of a paroxysm of that disease.

* Prisoner No. 40 had been confined four years and nine months in the Walnut street prison, before his conviction to the penitentiary.

Upon the whole, it may be affirmed that the health of the prisoners has been good during this year. The same period has proved destructive of human life, in portions of our country, from the prevalence of pestilence; but happily, from the isolated condition of our prisoners, and the regularity of their lives, the destructive cause has passed over them without producing disease.

The deaths which have taken place, are not of a character to throw a doubt on the propriety or humanity of the system pursued. Two of them have occurred after very short periods of confinement, while health continues to be enjoyed by a number of prisoners whose periods of imprisonment have been the longest. Without making any deduction for the case of suicide, the mortality of the year has been moderate. Thus, the average number of prisoners in confinement throughout the year has been 91, and the deaths having been 4, gives the mortality at only 4.4 per cent.

All which is respectfully submitted.

FRANKLIN BACHE,
Physician E. P.

December 31, 1832.

(To be continued.)

DINNER TO DR. CHAPMAN.

RICHMOND, (Virginia), June 4.

A public Dinner was given at the Eagle Hotel on Friday last, to Dr. Chapman of Philadelphia—who with his family was drawn to this city a few days since, by the marriage of his eldest son with a lady of Richmond. His friends, and the admirers of his character and medical skill, seized upon this opportunity of paying him the rare compliment, (we may call it an unprecedented one in this city,) of giving a public dinner to a private, not political, character. The Doctor accepted the cordial invitation. The following is the correspondence between the Committee of Arrangement and Dr. Chapman.

RICHMOND, May 27th, 1833.

Dr. N. Chapman—

Sir—The undersigned, a committee in behalf of a number of the physicians and other citizens of Richmond and its vicinity, avail themselves with pleasure of the opportunity which your visit to your native state presents to them of evincing the high regard and respect which they entertain of your private and professional worth, by requesting your acceptance of a dinner, to be given at the Eagle Hotel, at such a time as may best suit your convenience.

In conclusion, allow us to express individually, our warmest wishes for the continuance of your health, and to add our thanks and congratulations for the honor you have reflected on your native state.

With sentiments of high respect and esteem,

Your obedient servants,

LEWIS W. CHAMBERLAYNE,
R. H. CABELL,
TH. NELSON,
M. CLARKE,
JNO. W. WALTER,
WM. S. SCOTT,
RICH'D C. AMBLER,
THOS. I. A. COOKE.

Gentlemen—I am deeply sensible of your kindness, and will have great pleasure in dining with you on Friday next.

With the highest respect,

I am, gentlemen,

Very faithfully,

Yours, &c.

N. CHAPMAN.

May 27th, 1833.

Lewis W. Chamberlayne, M. D., R. H. Cabell, M. D., Th. Nelson, M. D., M. Clark, M. D., John W. Walter, M. D., William M. Scott, M. D., Richard C. Ambler, M. D., Th. I. A. Cooke, M. D.

On Friday, a most respectable company attended on the occasion. The whole entertainment was divested of all political considerations. All parties appear to testify their respect for a son of Virginia, who had won his way to eminent distinction in another state. Dr. Thomas Nelson acted as the President of the Day, assisted by Gen. Jacquelin B. Harvie, at one end of the table, and Dr. Chamberlayne, and T. Ritchie in the centre, as Vice Presidents.

After an excellent dinner, the cloth was removed, and the following toasts were given.

1st. The advancement of Science.

2d. The sons of Virginia—equally dear to her in whatsoever land their lot may be cast.

3d. Pennsylvania—quick in the perception of merit, and liberal in its reward.

4th. Our Guest, Dr. Nathaniel Chapman—an honor to his native state, an ornament to that of his adoption.

[This toast was received with great applause—when Dr. Chapman arose, and made the following address.]

"My emotions, at this moment, are so oppressive, that I am really apprehensive I shall experience some difficulty in giving utterance to the sentiments I wish to express. Can it be otherwise, than that I should be agitated on an occasion, which presents so many touching appeals to my sensibilities? Thirty-nine years have elapsed since I left my native state, and after such an interval, to be thus cordially welcomed on a visit to it by my countrymen,—while it deeply affects me, calls for acknowledgments on my part, which I shall in vain seek for language adequately to convey. Be pleased, therefore, in a word, to accept of my most grateful thanks, with an assurance, that your kindness has made an impression on my heart, that can never be effaced.

"In reviewing the probable causes of so distinguished a recognition of me, I have not the vanity to suppose, that it has been earned by any commensurate merits of my own. This I utterly disclaim. Yet, it has been my good fortune, to have participated in rendering some service to the state. Looking around me, I behold with intense gratification several of the hundred, or rather thousands of the sons of Virginia, whom I have contributed to educate to a profession, which signally illustrates and adorns the character of the commonwealth, as well by their eminence in their own immediate ministry, as by more general and diffusive science. This, the proudest of my achievements, constitutes my chief claim to your attention, which by a generous and too partial an estimate, has been exaggerated far beyond the measure of its just titles.

"That I am a Virginian, is true, and though so long absent from the state, have never ceased to be such in feeling, sentiment, or conduct. My aim on the contrary, has uniformly been, to reconcile my attachment and duties to the state of my adoption, to which I owe many and eternal obligations, with my original and unabated affections for the land of my nativity. The most valued inheritance I received, were the principles derived from the inculcations of Virginia parents, and which, I trust, I have succeeded in transmitting to my children. By a strict adherence to these principles, the prominent elements of the Virginian character, as a polar star, always bright and luminous, has my career been hitherto guided, and will be to the last breath of existence.

"In the spirit of the preceding remarks I beg leave to offer a toast:

"My native State, Virginia—God bless and prosper her in whatever may conduce to her glory and happiness."

5th. The founders of the University of Pennsylvania and their successors—brilliant examples of what may be achieved by talent when aided by industry and perseverance.

6th. William and Mary College—her highest eulogy is written in the fame of her sons.

7th. The late Dr. Benjamin Rush—Science, Patriot-

tism and Philanthropy, alike cherish his memory, and deplore his loss.

8th. The memory of John Randolph.

9th. The lovers of liberty in every land.

10th. Woman—

“The rainbow to the storms of life!

The evening beam that smiles the clouds away,

And tints to-morrow with prophetic ray.”

VOLUNTEER TOASTS.

By Dr. Nelson, President—Dr. Physic of Philadelphia—a thousand thanks to him for relieving of a thousand evils our illustrious and venerated fellow citizen, Chief Justice Marshall.

2. By Gen. Harvie, Vice President—The city of Philadelphia—She will long be gratefully remembered by Virginians, for her delicate and respectful attention to the remains of our late highly gifted fellow citizen, John Randolph of Roanoke.

3. By Chief Justice Marshall—The city of Philadelphia—renowned for her wisdom, her institutions, and civic virtues.

4. By Judge Philip P. Barbour—Pennsylvania and Virginia—They have long been united by *political ties*. The addition of *matrimonial ties* between their sons and daughters is within the spirit, as well as letter of the Federal Constitution—Because it has a happy tendency “*To form a more perfect Union.*”

5. By Dr. John Brockenbrough—The Medical School of Philadelphia—as distinguished for the talents and worth of its Professors, as by *their* urbanity and kindness to their pupils.

6. By Dr. Briggs—May zeal, harmony and benevolence ever characterize the members of the Medical Fraternity.

7. By a Guest—P. P. Barbour—a text so notable requires no commentary.

Judge Barbour returned his acknowledgments in the following address:

“The sentiment, gentlemen, which has just been expressed, was as unexpected by me, as I feel that it is beyond any degree of merit to which I can lay just claim. I am thoroughly conscious, that I am indebted for it, to a friend whose kindness has placed an over-estimate upon any service which I have ever been able to render.

“I cannot, in justice to myself, permit it to pass without a very few words of acknowledgment; not in any set phrase of speech, for it will at once occur to you, from the circumstances under which it has been presented, that there has not been a moment for preparation of that kind; but, gentlemen in the sincerity of a heart, whose sensibility is deeply excited, to give vent to my feelings, and expression to my gratitude, by returning my most profound and cordial thanks, both for the sentiment itself, and the gratifying manner in which it has been received.

“My title to the good opinion of my countrymen, if any I have, rests alone upon these principles. It has been my fortune, to have had considerable connexion with the world, both in public and private life. In my individual relations, it has been my earnest endeavour to do justice, and in every condition in which I have been placed, to act the part of an honest man.

“In my public relations, my consciousness assures me, that all the ends I have aimed at, have been my country’s; that in every trust of every kind, which ever has been confided to me, I have striven to act with scrupulous fidelity, and with a full sense of all the responsibility which they created.

“How far I may have succeeded in these efforts, whether as a public or private man, it is for others, not me, to say.

“But this I will say, that for whatever I may have been able to do, I have been more than compensated, by the approbation and support of my countrymen—

and that even apart from these, what has just occurred, would be an ample equivalent. In conclusion, I have only to express the hope, that if the few words, which I have been prompted to utter, by the impulse of the moment, have none of the advantages of preparation, they will lose nothing from the fact, that they convey to you the warm and spontaneous effusions of my heart.”

8. By Dr. Macaulay (of Baltimore)—The marriage of the James with the Kanawha—a speedy Union with the certainty of a numerous progeny.

9. By Dr. Page—Virginia, mindful of her sons wheresoever they are, and proud of their virtues and talents.

10. By Mr. Speaker Stevenson—Our Glorious Union—The chain which binds indissolubly together *Public Liberty and Individual Happiness*.

11. By Dr. Ruff (of the U. S. Navy)—Dr. Wm. E. Horner, Professor of Anatomy in the University of Pennsylvania—Virginia, like the Mother of the Gracchi, points to him as author of her jewels.

12. By Mr. Robert Stanard—The Science that brings hope and consolation to the couch of sickness, and wit and eloquence to the festive board.

13. By Dr. Cabell—The Fair of Virginia—Why seek ye Angels in Heaven?

14. By Dr. R. C. Ambles—Dr. Robley Dunglison—He leaves us honored and esteemed, and carries with him our best wishes to his new destination.

15. By Mr. John B. Chapman (of Philadelphia)—The best National Guard for the United States—Gen. Marshall, and the Supreme Court.

16. By Lieut. Ingersoll, (of Philadelphia)—“Virginia Hospitality.”

17. By Mr. T. Cadwalader, Jr. (of Philadelphia)—Dr. Patterson, the Professor in the University of Virginia.

18. By Mr. T. Swann, jr. (of Alexandria)—Our distinguished Guest!—His best eulogium, the celebrated tribute to the memory of Dr. James and David Garrick, “One who lengthens, and one who gladdens Life.”

19. By Dr. Brander—Love of country—the heart that is cold to its native land will never be warm to that of its adoption.

20. By Mr. Robert C. Nicholas—Virginia’s Jewels—They lose none of their lustre by being transferred to a sister’s bosom.

21. By Mr. James Lyons—The distinguished Virginian—who, though *absent* from his native state, has never forgotten the tie which binds him to her.

22. By Mr. Wm. H. Roane, (of Hanover)—Pennsylvania—her position and virtue have made her the keystone of this Union. The arm was but strengthened when Massachusetts lent a Franklin, and Virginia a Chapman.

23. By Mr. George E. Harrison, (of Brandon)—Our venerable friend, James Gibbon—who, to distinguished revolutionary services, adds the highest moral worth.

Major Gibbon expressed in a few feeling words, his thanks for the compliment paid him.

24. By a Guest—Our guest, Dr. Macaulay—a native of Virginia—we value him for his intelligence, and esteem him for his virtues.

25. By Major John Clarke—General Lafayette, the veteran champion of Liberty in America and in Europe.

26. By Dr. Chamberlane—“The Monumental City”—may her prosperity equal her enterprise—her warmest friends could not wish for more.

27. By Dr. Macaulay—The University of Virginia—The Seat of Science and liberal Principles—It deserves the encouragement and protection of Virginia and her sister states.

28. By a Guest—John Randolph of Roanoke—“The man without a model, and without a shadow.”

29. By Mr. Philip N. Nicholas—John Marshall, as

distinguished for his virtues as a citizen, as for his transcendent judicial talents.

30. By Mr. J. V. Willcox, jr.—The Ladies of Philadelphia—We do not want better samples than have been among us.

31. By Mr. Robert H. Jenkins—Thomas Jefferson and De Witt Clinton—The one, the author of Civil and Religious Liberty—the other, of Internal Improvement.

32. By a Beau—Richmond—Rich in the beauties of Nature, she is still richer in Heaven's choicest blessing—lovely Woman.

33. By Major Gibbon—Our junior guests from Philadelphia—May they all follow the example of Mr. John Chapman.

34. By M. C. Nicholas, (from Philadelphia)—The hospitality and chivalry of the sons—The beauty and virtue of the daughters of Virginia.

35. By a Guest—Patrick Henry—He needs no marble to perpetuate his name—*Monumentum perennius ære.*

To the Editor of the United States Gazette.

SIR,—For the purpose of making known some facts relative to the great recent increase, and the present enormous amount of transportation on the North Branch of the Susquehanna, and also of suggesting the importance of some other great thoroughfares between it and the city of Philadelphia, I am induced to forward to you for insertion in your several papers, if you see fit, the following certificate and remarks.

We, the subscribers, from actual observation, are enabled to and do hereby certify, that in six days, to wit: from the 18th to the 23d of May, instant, there floated down the North Branch of the Susquehanna, past the village of Cattawissa, 2,688 arks and 3,480 rafts, the latter bearing top-loading to the amount of at least 5,040 tons.

CHRISTIAN BROBST,
ERASTUS GOODRICH,
HORACE GOODRICH,
JACOB DYER,
TENCH C. KINTZING, Jr.

Cattawissa, May 24, 1833.

I hereby certify, that the facts stated in the above certificate are correct, and further, that on the 21st inst. at one view, within the distance of two miles on the said river, where the current was at the rate of four miles per hour, I counted fifty rafts and arks.

STACY MARGERUM, Jr.

Toll Collector of the Cattawissa Bridge.

Cattawissa, May 24, 1833.

May the 21st, while standing on the bank of the river, I counted in one view, in the same above distance, 55 rafts and arks floating down the river.

SAMUEL BROBST.

It is a fact well known by those living on the North Branch, that for several years past there has been a great annual increase of transportation on this river, and consequently that more lumber has been floated down this spring, than at any former time during the same season of the year. I will give you an estimate of the number of tons in the above mentioned arks and rafts, which I am able to do with considerable exactness, having myself been engaged in the lumber business upwards of twenty years.

The average weight of Arks and Rafts is at least 45 tons, each.

Arks,	2688
Rafts,	3490
	6168
	45
	30840
	24672
	277,560

Top loading of the Rafts, 5040

Making in all, 282,600 tons.

This would load 10,869 Union Canal boats at 26 tons each, or 94,200 rail road wagons, at three tons each.

It will be allowed by all that the Juniata river and the Pennsylvania Canal to Pittsburg, together with a part of the Susquehanna trade, will amply supply the Union Canal and Columbia Rail Road.

It will probably be as readily granted that the West Branch with its agricultural products and bituminous coal, and the great body of anthracite coal between the Susquehanna and Schuylkill, will furnish abundant business for the Sunbury and Pottsville Rail Road. Thus the whole trade of the North Branch is left untouched. I am aware of the contemplated Lehigh Canal; but will that suffice for the transmission of the whole trade of a river, on which in the short space of six days, during a sudden freshet, at an uncommon season, there floats loading for upwards of 10,000 boats? Surely not.

My position is, that the contemplated rail road from the North Branch, at Cattawissa, to Philadelphia, via the Little Schuylkill, should be speedily completed, and when it is completed, I boldly assert, without fear of contradiction, that it will be the nearest, cheapest and quickest route ever yet contemplated between the North Branch and Philadelphia. The distance is, by the valley of Cattawissa creek, from the river to Tamaqua 32 miles, to Port Clinton 21 miles, to Philadelphia 81 miles, in all 134. In this route there is but one ascent and one descent. This line abounds with coal from within a few miles of the river to Tamaqua. Within ten miles of Cattawissa, there are about 60 different mills, (and many good mill seats unoccupied) among which are, nine merchant mills, several country flour mills, saw mills, oil mills, paper mills, clover mills, carding machines, &c. &c. likewise two furnaces, two forges and an inexhaustible body of the best iron ore in the state. I need not mention to those who are even partially acquainted with the country, that the agricultural products of a large region would be transported by the proposed route. With these remarks, I submit my suggestions to the consideration of the public.

CHRISTIAN BROBST.

Cattawissa, May 31, 1833.

P. S. Rafts are still running, in all 15 days. The rafts and arks above mentioned, were loaded with shingles, staves, coal, plaster, and country produce of all kinds.

C. B.

ARRIVAL OF THE PRESIDENT OF THE UNITED STATES.

JUNE 8th.

A little before five o'clock a gun at the Navy Yard announced that the steam boat Ohio, had turned Gloucester Point, and the crowd, inside and out, were on the tiptoe of expectation. From three to five thousand citizens had obtained admission into the yard by tickets or otherwise, and a band of music was stationed near the barouche and four, to welcome the hero of the day. The boat soon came majestically forward, and alongside was the Robert Morris, of the Rail Road Line, which, after discharging her Baltimore passengers, had taken on board as many as could stand up *edgewise*, and gone down to meet the Ohio. When the latter came to the wharf, the President was seen on the upper deck, waving a large white hat, and bowing respectfully to those on shore. He soon landed, and was escorted through a long line of citizens to the gate of the yard, accompanied by the military and naval officers, and the committee, where the barouche received him, and the line of march was taken up for his quarters, at the City Hotel, amid the *vivas* and hurrahs of as great a concourse as we ever saw assembled.

The whole population seemed to be on the ground—every window exhibited a crowd of heads, while both sides of the street, for the whole length of the route, was lined with double and triple rows of gazers, who, ever and anon, raised their hats and shouted a welcome.

During the time occupied in passing to the barouche, a salute of 21 guns was fired; the shipping in port displayed all their ribbands and flags, while several steam boats plied in the river, making the air resound with music and cheers. At the sign of the Ship, in Front street, near the Navy Yard, flags and streamers were displayed across the street, and on the centre one an inscription flattering in the extreme to the city's guest.

The procession moved forward, preceded by four trumpeters—Col. Hart's first troop, the Washington Cavalry, Col. Riley's National troop, and the Montgomery troop. In the barouche, with the President, were Messrs. Horn, Wager, and Worrell. Then came the committee of sixty, and the committee of young men, "without distinction of party."

The Southwark delegation followed, with a banner of Washington, and in the train were twenty handsome open barouches, followed by numerous horsemen in citizens' dress. Fortunately, though clouds predominated, no rain of any consequence marred the reception.

The President retired to his apartments immediately on his arrival at the hotel, and the evening was passed in receiving the New York delegation, and the congratulations of his friends, who all remarked how well he looked.

SUNDAY.

The crowd round the City Hotel on Sunday must have been somewhat annoying to the neighborhood. Many of the President's friends called before ten o'clock, at which hour an open carriage conveyed him to the First Presbyterian Church. Here too a large assemblage of anxious faces greeted his arrival. The church was crowded, and outside a numerous company collected to get a glimpse of the first officer of the government. The Rev. Mr. Barnes preached an eloquent sermon, from the fourth chapter of the Book of Daniel, after which a collection was taken up for the benefit of foreign missions. Before the service was ended the crowd had greatly increased, and it was with some difficulty that way was made to the carriage, which the President entered, with his attendants, amidst a very audible cheer; this he acknowledged with his former suavity, and returning to his lodgings, sought a temporary refuge from the attentions of his numerous admirers and friends.

PROCESSION OF THE TENTH OF JUNE.

The Committee of Sixty appointed in pursuance of a resolution passed at the Town meeting of the City and County of Philadelphia, report the following arrangements.

The President is to receive the welcome of his fellow citizens in the Hall of Independence, *this day*, at 9 o'clock, A. M. Ladies and gentlemen desirous of participating in this plain, republican greeting, are generally invited to attend.

The military and civic procession will be arranged in order, in front of the Hall of Independence, prepared to move at 11 o'clock, A. M. The following route has been approved by the committee:

FROM THE HALL OF INDEPENDENCE

Down Chesnut street to Third street,
Up Third street to Green street,
Down Green street to Front street,
Up Front street to Brown street,
Down Brown street to Beach street,
Up Beach street to Maiden street,
Along Maiden street to Second street,
Down Second to Coates' street,
Up Coates' street to Sixth street,

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Down Sixth street to Vine street,
Up Vine street to Ninth street,
Down Ninth street to Arch street,
Up Arch street to Twelfth street,
Down Twelfth street to Chesnut street,
Down Chesnut street to Eighth street,
Down Eighth street to Spruce street,
Down Spruce street to Sixth street,
Down Sixth street to Catharine street,
Down Catharine street to Third street,
Up Third street to City Hotel.

All committees, corporations, public bodies and citizens generally, are invited to take part in a civic procession. The military division commanded by Major General Patterson, will take the advance: the civic procession will follow the President and suite, according to the order of arrangement published by the Marshals appointed for the occasion by the Committee.

The Marshals selected are:

Col. S. B. Davis,	Capt. Aug. Stevenson,
Col. John Thompson,	Capt. John Naglee,
Col. Geo. W. Ritter,	Capt. John M. Barclay,
Col. T. Penn Gaskill,	Lieut. Wm. J. Leiper,
Col. Benjamin Chew, jr.	Lieut. John Crean, jr.

B. E. CARPENTER, } Secretaries.
ANTONY LAUSSAT, }

ORDER OF THE PROCESSION.

The Military will take the advance under command of Major General Patterson.

THE PRESIDENT AND HIS SUIT.

The Judiciary of the United States and of the State.

The Civil Authorities of the city and districts.

Officers of the Army and Navy of the United States.

The Committee from New York in barouches.

The Committee of Sixty in barouches.

The Committee of the First Congressional District.

The Committee of Young Men without distinction of party.

The Committee of the Northern Liberties.

The Committee of Spring Garden.

The Committee of Penn Township.

The above committees are placed in order, according to the dates of their several reports. All other committees, corporations, and public bodies intending to take part in the procession, are requested to report themselves to the Marshals before 10 o'clock, A. M., when their stations will be assigned to them.

The line will be formed at 11 o'clock precisely. Citizens not included in the above descriptions, are requested to form in sections of eight.

By order of the Marshal.

JOHN THOMPSON,

Grand Marshal.

Poulson's Am. Daily Advertiser.

Yesterday, at nine o'clock, A. M. the Mayor, the members of the Select and Common Councils, the Aldermen, and other City Officers, assembled in Independence Hall, together with several members of foreign legations. The committee of Councils, appointed for the purpose, then proceeded to the City Hotel, to inform the President that the City Authorities were ready to receive him. He shortly afterwards arrived, attended by a delegation from "a committee of sixty." When the President, accompanied by the Secretary of State, the Hon. Louis McLean; the Secretary of War, the Hon. Lewis Cass, and Mr. Donelson, his private secretary, entered the Hall of Independence, he was received by the Mayor, who introduced him to each individual present. It had been stated that the citizens generally would be admitted to the Hall in the course of the morning—arrangements were then hastily made to allow of the ingress and egress of as many as possible, in the limited time remaining. The doors were then opened, and many thousands of people, of all ages, and

both sexes, entered, bowed to the President, and passed out. In the course of the morning, the Faculty of Arts, and the students of the University of Pennsylvania, paid their respects to the President; and the young men of the City and districts of Southwark, Moyamensing, and Passyunk, marched into the Hall, with their banners, and joined the other visitors in salutations. The President continued standing and bowing to the stream of citizens as they passed him, for more than two hours; meantime, the dense mass in front of the State House seemed no-ways thinned by the hosts that had come out from them. A few minutes before noon, the detachment to escort the President to the line of military, arrived in front of the Hall—and horses prepared for him and his suite were led up to the door.

We never remember to have seen the military to such advantage—those of the first division have almost all recently undergone some refreshment in the way of dress and appointments—and several companies from the adjacent counties also joined in the pleasing duties of the day, and added to the interest of the pageant by their soldiery appearance and good discipline.

We do not remember to have seen the streets more crowded at any time than they were yesterday, and all seemed anxious to do honors to the Chief Magistrate of the nation.

The venerable Bishop White attempted to make his way into the Hall of Independence, to pay his respects to the President; but the crowd in the entry was so dense and so unaccommodating that the attempt was fruitless, and that respected patriot was compelled to withdraw, after requesting that his intentions and unsuccessful attempt might be made known to the President.—*U. S. Gazette.*

About twelve o'clock the President left the Hall, and proceeded on horseback to Arch street, for the purpose of reviewing the military. The review took place about one o'clock. The various regiments and battalions occupied the north side of the street, and the President, accompanied by General Patterson, Governor Cass, Mr. McLane, the U. S. Marshall, and the Civic Marshals, rode down in front of them uncovered. He looked remarkably well, managed his horse skilfully, and appeared to observe the troops with much attention. When he came opposite the residence of General Cadwalader, he turned and bowed low several times. The General was at the window, and returned the courtesy with great cordiality.

After the review, the procession took up the line of march in the following order:

Mounted Trumpeters.

Colonels,

And other Officers of the Pennsylvania Line.

First Troop,

Under the command of Captain Hart.

PRESIDENT JACKSON,

Mounted on one of Col. Reeside's spirited horses.

The President was dressed in a suit of deep black, and passed along a great portion of the route with his hat off. He bowed to the numerous persons who thronged the side-walks and occupied the windows, and was answered every where with cheers and the waving of white handkerchiefs.

Immediately accompanying the President, rode—
Major General Patterson and Staff.

The various Committees of Arrangement from the
City and Districts, in barouches.

Mounted Marshals.

Southwark Civic Procession,

Consisting of about one hundred persons, wearing
badges and bearing banners.

Citizens on Horseback.

Mounted Marshals.

Young Men of Southwark—bearing four banners.

Military.

Colonels Prevost and Wetherill, mounted.

A Troop of Horse.

Captain Riley's New Troop.

Norristown Troop.

Troops from neighbouring Counties.

Artillery—Four pieces of Cannon drawn by Horses.

The various Volunteer Corps.

Gen. Goodwin and Staff.

Trumpeters.

City Troop.

Washington Cavalry.

Citizens on Horseback.

The volunteers and military, generally, turned out in great strength. The procession could not have been less than a mile in length. Several hours were occupied in passing along the route marked out—and just 23 minutes in passing a given point.

The President left this city in the People's Line for New York, on Tuesday morning.

BLACK HAWK arrived yesterday afternoon from Baltimore. Before he reached Third street and Chesnut, he was saluted by the cheers of thousands, who appeared quite as delighted to see him as they had before been to see the procession. The Indians returned the salute in their characteristic manner. Black Hawk and his companions promise to be the "lions of the day," while they remain with us. They are noble specimens of the early race of America.—*Inquirer.*

UNIVERSITY OF PENNSYLVANIA.

PHILADELPHIA, June 3d, 1833.

To the Honorable Board of Trustees of the University of Pennsylvania.

Gentlemen,—Having been unanimously invited by the vestry of St. Peter's church, in this city, to take the pastoral charge of that parish, and having felt myself prompted by a sense of duty to accept the invitation, I beg leave to tender to the Board of Trustees, my resignation as Professor of Moral Philosophy and Provost of the University of Pennsylvania.

I cannot take this step without expressing my heartfelt acknowledgment to the Board, for their uniform kindness, support, and confidence, during my official connexion with the institution.

It is also matter of no slight gratification for me to reflect, that during my provostship, the most entire harmony has prevailed among the members of the Faculty with whom I have been associated, and that nothing has occurred to mar the intercourse between the Faculty and the Board. The institution has my warmest wishes for its continued increase, efficiency, and usefulness, and though separated from it, my humble influence and efforts shall be given to aid the Board in their attempts to provide the city with the means of an adequate collegiate education.

Whilst I could wish to be relieved from my present engagements in the College, as soon as practicable, I will yet cheerfully continue in the discharge of the duties of the station, if the Board shall desire it, until the end of the present term, or until the requisite arrangements to supply the vacancy shall have been made. With the sincerest prayers for the welfare of the members of the Board, and for the success of the University in all its departments,

I remain very truly, &c.

W. H. DE LANCY.

At a stated meeting of the Trustees, held June 4th, 1833, the resignation of the Rev. Dr. De Lancey of the office of Provost and Professor of Moral Philosophy, having been read, it was resolved unanimously, that the Board of Trustees having received from the Reverend W. H. De Lancey, a letter dated the 3d instant, resigning the Professorship of Moral Philosophy and the station of Provost of this University, accept his resignation with regret. They cannot look back to his faithful administration of those duties, his eminent talents, his extensive learning, his sound judgment, his urbanity of manners, and his preservation of harmony with the Faculty and good order among the students, without an express declaration of their entire satisfaction with his official conduct, and personal character and demeanour. The Board cheerfully accepts his voluntary proposition to continue his valuable assistance until the close of the present term, or until the requisite arrangements to supply the vacancy shall have been made.

From the minutes.

(Signed)

JAMES C. BIDDLE,
Secretary.

FOURTEENTH GENERAL REPORT

Of the President and Directors of the Chesapeake and Delaware Canal Company.

In conformity with the requisitions of the charter of the Chesapeake and Delaware Canal Company, the President and Directors present to the proprietors, the Annual Report of their proceedings for the past year, with the Treasurer's statement of the fiscal concerns of the Company.

Since the last report, nothing has occurred on the line of canal, or any part of the works, to prevent its use, except when the navigation of the Delaware was closed by ice.

In some parts of the upper level at the deep cut, indications of slipping in the banks have been evinced; but by timely attention, and removal of earth, so as to relieve the weak places from pressure, the occurrence of any serious difficulties has been prevented.

On the lower level, the embankments have become consolidated, and appear to have entirely ceased to settle. Considerable abrasion of these embankments, as well as those on the upper level, has, however, taken place, from the action of the waves on them: and measures have been adopted to yet further secure those parts, which, from their exposed situation, most require to be protected.

It has been found necessary to renew the pivot bridge at the town of St. George—and to put new gates in the lock at the river Delaware—both of which have been done; and the locks, bridges, waste weirs, and culverts, are now in good order.

The large culvert: which was placed under the bed of the canal about a year ago, to vent the water of the Dragon creek, and to prevent the overflow of the marshes on the north side of the canal, has been found to answer entirely the purposes intended in its construction: and it is believed will effectually put an end to the difficulties and litigations of which these marshes have been to the Company fruitful sources; and which, in their results, have been most unpleasant and expensive.

The supply of water for the greater part of the past year has been abundant; for a short time, however, during the drought last summer, the surplus water which the upper level holds as a reservoir, was used; and the water on that level reduced to a depth of about eight feet. This circumstance shows the probability, that with the increasing trade of the canal, a further supply than that which arises from the present means, will become necessary during dry seasons. This supply, to any extent that may be requisite, can be readily obtained, by raising water, either by steam or other power, about twelve feet, from Back creek into the

summit level of the canal. This additional supply would only be necessary for a small part of the year, and during the remainder, the power can be rented, it is believed, for a sum equal to the interest of the cost; it would therefore be but a trifling additional expense to the Company, to obtain the quantity of water that may be required for an increased demand.

The Board of President and Directors, in accordance with the powers vested in them by the proprietors of the canal, issued, in June last, proposals for a loan at five per cent. interest. These proposals were not accepted; and since that period, a loan has been opened for \$400,000, under similar stipulations and securities as the former loans, at six per cent. interest, payable in twelve years, and convertible into stock during that time. Of this loan, \$10,000 has been disposed of at par, and the proceeds applied to the purpose above stated. But it has not yet been deemed advisable to sell the remainder; under the expectation, that more favourable terms would be obtained for it, at a subsequent period, when the increased trade on the canal should more fully demonstrate the security of the loan, and consequently add to its value. That the period is approaching when this very desirable result may be anticipated, there is a well founded expectation; as the canal and works are by time, and the measures used to strengthen such parts as were found to be weak or liable to danger, becoming secure; and will require but a small expenditure to keep them in order, and meet the ordinary expenses of the Company; while the completion of the Delaware and Raritan Canal, which is confidently expected to be opened for navigation in the early part of the next season, will certainly add largely to the tolls, by forming a connected inland communication between the northern and southern sections of our country.

The general trade on the canal is also gradually and regularly increasing; but owing to particular circumstances, the amount of tolls received last year has not been so great as might have been anticipated.

Among the principal causes which have produced this result, may be enumerated the prevalence of the cholera, which for about two months greatly diminished the trade and intercourse through the canal, and for a part of that time almost put an end to it; and the short continuance of the early spring freshet in the Susquehanna, which went off so rapidly as not only to prevent a large quantity of produce from being sent by the channel of that river to market, but stopped on its transit a considerable part of that which was on its way. The recent flood has been so violent, and the water so high and rapid, as to have prevented the navigation of the river until within a few days past. Now, however, the productions of the fertile country through which it takes its course, are on their passage to and daily arriving at tide water; from whence, by way of the Chesapeake and Delaware Canal, a large portion of them find a market in this city.

Notwithstanding these untoward events, which, however injurious in their effects, can only be considered as temporary in their character; the general business of the canal during the past year, as compared with the year previous, has increased about 15 per cent., exclusive of the toll on passengers, from which there has been nothing received this year until within the last month. The amount of tolls received since the last annual report, has been \$61,160, arising principally from vessels laden with the following articles:

543	packets carrying merchandise.	
1304	vessels, carrying	wood 38,325 cords.
385	do. arks and rafts,	
	carrying	lumber, 11,236,631 feet.
76	do. carrying	flour, 20,002 bbls.
113	do. do.	wheat and corn, 299,448 bush.
4370	do. do.	cotton, iron, fish, coal, whiskey and various other articles.

6791 passages made through the canal between the 1st of June 1832, and the 1st of June 1833.

The following statement will show the progressive increase of the number of passages through the canal and the amount of tolls received during corresponding periods of different years.

Number of Passages made through the Canal.

From	Fm. Del.	Fm. Ches.	Total
31 Aug. 1829, to 1 Jan. 1830,	375	309	684
1 Jan. 1830, to 1 Jan. 1831,	2567	2457	5024
1 Jan. 1831, to 1 Jan. 1832,	2682	2549	5231
1 Jan. 1832, to 1 Jan. 1833,	3485	3537	7022
1 Jan. 1833, to 1 June 1833,	1055	1111	2166

From	Amount of Tolls Received.
31 August 1829, to 1 Jan'y 1830,	\$ 6,822 88
" 1 January, 1830, to 1 June 1830,	17,835 28
" 1 June, 1830, to 1 Jan'y 1831,	32,228 48
" 1 January, 1831, to 1 June 1831,	28,994 67
" 1 June 1831, to 1 Jan'y 1832,	39,107 95
" 1 January 1832, to 1 June 1832,	23,965 52
" 1 June 1832, to 1 Jan'y 1833,	37,371 15
" 1 January 1833, to 1 June 1833,	23,789 23
in 1831	68,102 62
in 1832	61,336 67

In the transportation of passengers, and of the light articles of merchandise, the competition is now so great between canals and rail roads, that in each mode, every means of improvement is becoming requisite, to keep pace with the other in the facilities offered to the public.

Aware that the more rapid rate of transit attained on rail roads by locomotive power, has been urged as their distinguishing advantage; the officers of this Company have endeavoured to ascertain the best means of attaining similar advantages on the canal. After a very full investigation of this subject, and obtaining various information in relation to it, the Board have come to the conclusion; that in consequence of the large dimensions of the Chesapeake and Delaware Canal, and the wide expanse of water presented by the greater part of it, steam power may be applied on this canal to great advantage, in the towing of vessels, as well as in the conveyance of passengers—that by the increased facilities and shorter time of the passage through the canal, the general trade on it would be augmented—and by the more rapid transportation of passengers which could be effected by this means, the revenue of the Company would be improved from that source. These benefits, it is confidently believed, can be attained without any material injury to the banks of the canal, a large portion of which is now protected from the effects of wash,

and the remainder will also soon be guarded in a similar manner.

Statements have lately been received, of various experiments on the Paisley and other canals in Great Britain, which seem to prove, (in opposition to all former theories,) that by increasing to a high rate the velocity of a boat of proper form, in passing through a canal, she makes less wave and abrasion of the banks than when going at a slower rate, and that a less power is requisite to keep up a velocity of twelve miles than of six miles an hour.

If this be true, there can be no objection to a boat passing through a wide canal, at the greatest speed which can by any power be attained.

The transportation of passengers by the canal route, which by the withdrawal of the old Baltimore line was discontinued on the completion of the New Castle rail road, has within a short time recommenced. The new line between Philadelphia and Baltimore—"The People's Steam Navigation Company,"—convey their passengers by way of the canal, with the view of affording to the public the benefits of both, a choice of routes, and means of conveyance, across the peninsula of Delaware. In both of these particulars, that Company are under the impression that they can offer inducements, in safety and comfort, to counterbalance the more rapid speed on a rail road, and to secure in return sufficient patronage for the support of the line even at its commencement, and for its future success and permanence. Should these expectations be realized, and the same support hereafter given to this enterprise that it has hitherto received, the tolls from this source will make a very considerable item in the revenue of the Canal Company.

Signed by order and on behalf of the President and Directors.

R. M. LEWIS, President.

S. GRIFFITHS FISHER, Secretary.

Chesapeake and Delaware Canal Office, }
June 3d, 1833. }

From the Philadelphia Gazette.

PROCEEDINGS OF COUNCILS.

Thursday evening, April 18, 1833.

SELECT COUNCIL.—The following communication from the Treasurer of the Girard Trust was received.

*Treasurer's Office of the Girard Trusts, }
April 17th, 1833. }*

To the President and Members of the Select and Common Councils.

Gentlemen,—I have this day received from the executors of the estate of Stephen Girard, the following named personal property for the City Corporation.

	Par Value.	Cost.
One certificate of Pennsylvania 5 per cent loan, No. 316, dated Philadelphia, Feb. 1st, 1833, for	100,000 00	114,080 00
One certificate of Pennsylvania 5 per cent loan, No. 349, dated Philadelphia, Feb. 6th, 1833, for	80,000 00	91,264 00
One certificate of Pennsylvania 5 per cent loan, No. 372, dated Philadelphia, April 17th, 1833, for	59,472 00	67,845 66
	<u>\$239,472 00</u>	<u>\$273,189 66</u>

The par value of which is \$239,472, and the cost

\$273,189 66; for the said certificates I have given a receipt in the name of the City Corporation.

Respectfully your ob't serv't,

BRITAIN COOPER,
Treasurer of the Girard Trust.

Mr. Worrell presented a petition for a Western Market House, which was referred to the Committee on Markets.

Mr. Lewis presented a petition for repaving Fifth street, from Spruce to Pine street, which was referred to the Paving Committee.

Mr. J. P. Wetherill presented the annexed petition from Mr. Frederick Graff, which was referred to a joint committee of three members from each Council, and Messrs. Haines, Toland, Maitland, J. P. Wetherill, Lippincott and Lewis, were appointed the committee.

To the Select and Common Councils of the city of Philadelphia.

The memorial of Frederick Graff, respectfully sheweth:

That he entered the service of the city, in the year seventeen hundred and ninety-nine, as an assistant or draughtsman to B. Henry Latrobe, Esquire, the engineer employed by the corporation to plan and build the first works, erected for supplying the city of Philadelphia with wholesome water.

That having acquired some practical, as well as theoretical knowledge of their management, he was on the 1st April, 1805, appointed Superintendent of the Water Works, with an annual salary of twelve hundred dollars, in the place of Mr. John Davis, who had resigned. Your memorialist had served in that capacity during the months of January, February, and March, in that year without any compensation.

These works were at length discovered to be not only defective in plan, but also entirely inadequate to the increased supply of Schuylkill water required for the use of the citizens. The reservoirs only contained 16,000 gallons of water, equal to a supply of half an hour, when the engines were not in operation.

These considerations induced the Watering Committee to bring the defective state of these works before Councils, and a resolution was accordingly passed by those bodies on the 24th October, 1811, directing the Watering Committee "to cause examinations to be made, in relation to an alteration of the present mode of supplying the City with water, and also whether any other mode can be advantageously substituted for that now in operation."

In compliance with this resolution, the Watering Committee directed Mr. John Davis, the former superintendent, and your memorialist, to examine the works then in operation, and afterwards to inspect the eastern shore of the Schuylkill from the Upper Ferry to the Falls, and thence to the mouth of Wissahickon creek, and also the latter stream as far as the dam and mills of Mr. Robeson.

On the 18th December, 1811, Messrs. Davis and Graff made a joint report of their proceedings to the Watering Committee in which they submitted their views, in relation to the different plans for watering the city, suggested for their consideration.

They recommended the abandonment of the old works and basins, and the erection of reservoirs on the hill at Fair Mount, and their supply by means of steam engines to be fixed at its base.

The Wissahickon creek was also examined, but the waters of it were discovered to be entirely insufficient for the supply of the city.

The next examination made, was of the water and power, at the falls of Schuylkill, then owned by Messrs. White and Gillingham. There, although a sufficient power was found for the object in view, yet it was ascertained that the mills of those gentlemen were frequently stopped by back water and ice during the winter.

After a due consideration of these several plans, and the suggestions contained in the report, the Watering Committee determined to recommend to Councils, the purchase of a site at Fair Mount, upon which large reservoirs could be erected at a proper height, and to supply them by means of steam engines. This was accordingly done in their report of the 2d May, 1812, and the plan being approved by Councils, the ground was purchased, and the works were commenced in August, 1812, and finished on the 7th September 1815, when they were put into successful operation.

These works (with the exception of the designs for the steam engines) were planned and executed by your memorialist, who had also during the period of their erection, the management of the old works for the superintendence of which, he received the before named salary of \$1200.

When the new works were about to be commenced, the Watering Committee directed the Superintendent, to provide himself with a spirit level, compass, and such other instruments, as were necessary, and agreed that they should be paid for by the city; and it was also understood, that your memorialist should be compensated for his services as engineer, when the works were completed.

On the 13th September, 1813, a resolution was passed by the Watering Committee, "That the Superintendent shall be entitled to the sum of \$1000 as a full compensation for the extra duties, attention and skill which the new works occasion, which shall be paid to him, one half on the first of October next, and the balance at the completion of the works aforesaid."

The instruments that your memorialist had purchased were stolen from the office at Fair Mount, which was broken open during the night, and having cost \$250, would have left \$750 as the compensation of your memorialist, for the labor of nearly three years.

Under these circumstances, your memorialist at last found himself compelled, in justice to himself and family, to render his resignation as superintendent, which he accordingly did on the 3d March, 1815. It was accepted by the committee, who immediately advertised in Philadelphia, New York, and Baltimore, for a person competent to take the place of superintendent.

No one however offered, and the Watering Committee then proposed to your memorialist, that if he would reingage as superintendent, they would pay him \$2000 instead of \$1000 for his extra services, and raise his regular salary from \$1200 to \$2000 per annum, to commence from and after the 30th December 1815. This proposal was accepted by your memorialist, and the steam works were completed, and conducted by him to the entire satisfaction of the committee, until it was proposed to supply the reservoirs by means of water power above the Upper Ferry Bridge.

The Watering Committee having determined to change the mode of supplying the reservoirs at Fair Mount, from steam power to water power, invited plans and estimates from Messrs. Cooley, Wernwag, and others. Your memorialist was directed by the committee to give his aid and assistance, in all these matters, and he accordingly attended to this new duty from the first sounding of the river, in February 1819, preparatory to the erection of the dam, until the completion of the work in December, 1822.

The erection of a dam and works, having been finally concluded upon, operations were commenced on the 19th April, 1819.

From the hurried manner in which they were begun, (the Superintendent being then absent on a tour of duty up the Delaware purchasing timber for the dam,) no specific plan or design was adopted with regard to the buildings, or the location or form of any part of the works, excepting the dam, and the water wheel, the form of the latter of which was given by Mr. Oaks.

Your memorialist becoming uneasy, and fearing that the general outline of the Works had not been properly

digested, commenced drawing plans for the same, and making models, (some of which are still in his possession) which when completed were approved of and adopted by the Watering Committee, who instructed your memorialist to enter into agreements for their construction, and to procure materials for the execution of the Works. From this period until the works were finished, in December 1822, your memorialist had the sole charge (under the authority of the committee,) of directing the works under contract as well as the management of all other parts connected with them.

Your memorialist gave all the designs and superintended their execution, for the canal and locks on the west side of the river, the forebay, head arches, and their gates, and the reservoir on the east side of the Schuylkill, the mill buildings, the pumps, mains, and all other parts of the works, excepting the wheels and the mill machinery and dam.

Under the direction of your memorialist, the head pier and mound were raised from seven to fifteen feet, after the great freshet of February, 1822, and the planting in front of the dam was done by Mr. Erdman, under a contract with the city, made by the Superintendent, the timbers of the dam having been placed so far apart, that the stone filling would have fallen out unless this addition had been made.

During the whole of this period, your memorialist superintended the operation of the old works, paid all the expenses, and kept all the accounts, both of the old and new ones, under a firm belief that when the new works were finished, he would receive a just and liberal compensation for having performed a task which for more than three years occupied his time, both day and night.

In the midst of these services, your memorialist was engaged in designing and bringing into its present state of perfection the iron pipe system, and although weighed down by the labor of conducting the old works and erecting the new ones, he was compelled to travel at least once a month to the furnaces, forty miles from the city in all weathers to prove iron pipes and to arrange the various devices connected with them.

During the same period, also, your memorialist, in order to get through these numerous avocations, was obliged to keep a horse which cost him upwards of \$150 per annum, which sum was to be taken from the salary he received for conducting the old works, thereby reducing it from \$2,000 to \$1850, without deducting private incidental expenses incurred but not charged against the city, in his frequent visits on their business to the State of New Jersey.

Your memorialist, in consequence of the destruction of the Falls bridge, by the freshet of 1822, and the suit brought by its owners against the Schuylkill Navigation Company, which was defended by the city, measured all the different localities near and at the falls, connected with the decision of this important case, and made explanatory models and plans of the bridge and its different parts, which were afterwards laid before the court and jury by whom this suit was tried, and which afforded, as your memorialist believes, an important part of the evidence in refutation of the claim made by the Plaintiffs.

In order to show that the exertions of your memorialist, met with the entire and cordial approbation of the Watering Committee, under whose authority he had acted, he begs leave to insert the following extract from the minutes of that committee, which was sent to him on the completion of the water power works at Fair Mount.

"Extract from the minutes of the Watering Committee, Dec. 31, 1822. The Watering Committee taking into consideration the great labor and strict attention of Mr. Graff, in the works at Fair Mount, have agreed to the following resolution:

Resolved, That Mr. Frederick Graff merits the thanks of this committee, and they are hereby tendered to him

for his judgment, prudence, indefatigable attention and taste in the management and prosecution of the works at Fair Mount to the period of their happy conclusion, owing largely to his exertions and skill, and also for his zealous attention to the general interest of the city in all its concerns under his management.

SAMUEL W. RUSH, Register.

As a further testimonial of their estimation of the services of your memorialist, a silver vase which cost two hundred and forty-five dollars was presented by the Watering Committee, on which was engraved the following very flattering inscription:

"This vase is presented on behalf of the city of Philadelphia, by the Watering Committee of the Councils to Frederick Graff, to express their admiration of the taste, judgment, and fidelity, with which he arranged and assisted in prosecuting to a conclusion the public works at Fair Mount."

And in the annual report of the Watering Committee to Councils made on the 6th of January, 1823, the following language is used:

"The committee cannot close this report without presenting, in the most distinct manner, to the notice of both the Councils and the City, Mr. Frederick Graff, for many years superintendent of the Water Works, whose taste in the design, and whose judgment in the arrangement of the works at Fair Mount, with his indefatigable zeal for the public interest, in every department, have attracted the regard and thanks of the Committee and entitle him to those of Councils."

Your memorialist, therefore, begs leave to represent to your honorable bodies, that notwithstanding, he acted as an engineer, in the erection of the present splendid and valuable works at Fair Mount, and devoted more than three years of his life to their design, arrangement, and execution, and that his exertions and labors met with the unqualified approbation of those under whom he served, he has never received any compensation for these services unless the voluntary present of the vase, by the Watering Committee can be considered in that light.

Your memorialist, therefore, in the decline of life, and with a constitution impaired by a constant and untiring devotion to the public works entrusted to his charge, at this late day submits his case to your honorable bodies, and asks at your hands a proper and reasonable compensation, for services which he is obliged to say have as yet been entirely unrequited except by the general approbation of his fellow citizens.

In order to judge of their value, he respectfully submits the following observations:

Mr. Latrobe received by his contract as engineer for the erection of the first works, \$6350 00
And an additional compensation of 1050 00
Was voted him by councils on the 28th February, 1805.

\$7400 00
making about \$3500 per annum—and he was also allowed all travelling and other reasonable expenses incurred by him in the service of the city—He had under him a clerk or superintendent of the works who received an annual salary of \$936—and there was also an accountant at the Water Works, who received a salary of \$800 per annum.

He was also allowed an assistant or draughtsman, and was at the same time acting as the architect of the Pennsylvania Bank.

Your memorialist performed the joint duties of engineer, superintendent, accountant, and draughtsman, having no assistance in any branch of the business whatever. His whole time for the last 28 years has been exclusively devoted to his official duties—not having been absent from his station for more than 56 days during the whole of that period.

The result may be simply stated thus: From the commencement of the first steam works at Fair Mount

to the 31st December, 1832, as superintendent he has disbursed \$1,401,678 77, and kept all the accounts relating thereto.

There are now five water wheels in operation, two of which have been entirely designed by him and were executed under his immediate supervision—three reservoirs completed and the banks of the large one so far advanced as to be ready to receive the walls.

Upwards of 72 miles of iron pipes are now laid in the city and districts, the designs and arrangements for the whole of which were given by your memorialist, with a view to prevent errors being made by the District Committees.

The annual income now accruing from the Department amounts for the year 1833 to \$77,567 78.

Your memorialist submits this candid statement of facts to the consideration of your honorable bodies, and asks at your hands, as the representatives of his fellow citizens, a fair and just compensation for his extraordinary services rendered his native city during the years 1819, 1820, 1821, and 1822.

Philadelphia, April 17, 1833.

Mr. Worrell offered a resolution requesting the above committee to report on the propriety of appointing an assistant engineer, which was adopted.

Mr. Groves offered the annexed resolution, which was laid on the table.

Resolved, by the Select and Common Councils, that the building committee of the Girard College, be and they are hereby directed to cause a vault to be constructed in such place in front of the College as they may think most advisable; in which they are instructed to have the remains of the late Stephen Girard deposited, and that the said vault be built in the most permanent and durable manner, and the remains placed therein as soon as the said committee may deem the same expedient.

Mr. Lippincott called up for consideration the ordinance for raising supplies for the year 1833, which was passed by the Select Council; but was laid on the table in Common Council.

Mr. Massey moved to consider the vote of the last meeting of Councils, negating the resolution attached to the report of the committee relative to the compensation of the trustees of the Girard Bank, which was lost, yeas Messrs. Eyre, Lippincott, Massey, and Neff, 4.

Nays, Messrs. Groves, Ingersoll, Lewis, J. P. Wetherell, and Worrell, 5.

COMMON COUNCIL.—Mr. Maitland presented a petition for paving Olive street, which was referred to the Paving Committee.

Mr. Gilder presented a petition for paving Brown street, which was referred to the same committee.

Mr. Chandler presented the annexed report of the Commissioners of the Girard Estates, which was ordered to be printed for the use of the members of Councils.

The commissioners of the Girard Estates in compliance with the ninth section of "The Ordinance for the further management of the Girard Estates," present the following Report:

That on the nineteenth day of January, 1833, the Commissioners elect met at the office occupied by the former Board, No. 163 Chesnut street, and proceeded to organize the Board by electing Joshua Lippincott President, and on the twenty-third of the same month, elected Morgan Ash, Secretary, and William Blackburn Messenger.

The salary of the Secretary was fixed at four hundred dollars per annum, and that of the Messenger at two hundred dollars per annum.

The following rules were adopted for the government of the Board.

Sec. 1. The Officers and Agents of the Board shall be a President, a Secretary, an Agent of Farms and Lots, and a Messenger, all of whom shall hereafter be elected by ballot annually in October.

Sec. 2. The salary of the Secretary shall be four hundred dollars per annum. He shall perform all the duties usually performed by Secretaries in such manner as the Board may direct, and shall attend at the office two hours every day.

Sec. 3. The salary of the Messenger shall be two hundred dollars per annum.

Sec. 4. The Board shall be divided into three standing committees of three members each.

First—A Committee on Real Estate, who shall have the more immediate care of the buildings belonging to the estate in the city and liberties.

Second—A Committee on Farms and Lots, who shall have charge of that description of the property of the Estate, which they shall visit at least twice in each year; and whose duty it shall be to consider whatever relates to the improvement of lots by building upon them or disposing of them by lease.

Third—A Committee of Accounts and Finance, who shall examine all accounts presented, and who shall have all matters relating to stocks and investments under its care.

Sec. 5. The stated meetings of the Board shall be held on the evenings of Saturday in each week, at 7 o'clock, from the first of November to the first of April, and the remainder of the year on Tuesday mornings at 9 o'clock.

Sec. 6. Special meetings of the Board may be called by the President, or at the request of two members. The Secretary shall insert on the notices of such meetings the object of the call, and no other business shall be transacted without the consent of all the members present.

Sec. 7. The order of business at the stated meeting shall be.

1. Roll called, and the minutes of the proceeding meeting read, corrected if necessary, and adopted.
2. Communications from the Treasurer.
3. Communications from the Agent.
4. Communications from the Agent of Farms.
5. Reports of Committees.
6. Unfinished business from the minutes.

Sec. 8. The office hours of the Treasurer shall be from 9 o'clock, A. M. to 3 o'clock, P. M.

Sec. 9. The President shall appoint all Committees, unless otherwise ordered.

The President appointed the following Standing Committees:

On Real Estate—Messrs. Troth, McMullin, and Massey.

On Finance and Accounts—Messrs. Eyre, Lewis, and Borie.

On Farms and Lots—Messrs. Swift, Lippincott, and Chandler.

On the 23d January a communication was received from Joseph Roberts, setting forth the circumstances under which he claimed to reside in the house next door south of the Bank in Third street, rent free. The subject has been referred to the City Solicitor from whom no report has been received. This portion of the Estate has therefore produced no revenue.

On the 26th January, application was made by A. Myers, J. R. Legee, M. Day, and F. Duser, tenants of houses in Second street below Spruce street, asking for a reduction of their rent.

The Board taking into consideration the rents of the adjoining property, thought it just that a reduction should be made, accordingly the rent of each was reduced to four hundred and fifty-five dollars per annum.

A similar application was made by Samuel Comly and Thos. A. Haven. The Committee on Real Estate, to whom the subject was referred thought it advisable that a small reduction should be made, and on the 9th of February, the Board resolved to reduce the rent of Samuel Comly from \$5,000 to \$4,500, and that of Thomas A. Haven from \$2,150 to \$2,000 per annum, the

reduction to take effect from the first day of April 1833.

On the 23d of February the rent of Samuel Comly was reduced to \$4000; it appearing that unless that sum was taken, he would remove from the premises.

On the 16th February the Board directed the annuity due to Mrs. Hoskins, of Havre, France, amounting to six hundred dollars, to be paid to the order of the Executors of Stephen Girard.

A tabular statement of the Stocks transferred to the City by the Executors of Stephen Girard has been made out by the Treasurer. This embraces only a portion of the personal property bequeathed to the City by Mr. Girard. The remainder is in the hands of the Trustees of the Bank.

On the 23d February the Board directed the Treasurer to have recorded in the proper office of Schuylkill County the mortgage on the Mount Carbon Rail Road, amounting to \$30,000, transferred to the City by the Executors of Mr. Girard.

On the 2nd March the Board was advised of the election of John Sergeant, Esq. as Counsellor of the Girard Estate.

On the 9th March the Board adopted the Report of the Committee on farms and lots relative to the duties and salary of the agent of farms and lots.

His duties are first, to visit every piece of property submitted to his care at least once in two weeks or as often as the Committee may deem it expedient, and to see that the contracts with reference to tillage, manures, fencing, ditching and general repairs of the place are entirely fulfilled by the tenants.

Second—To make reports at least once a month to the Board of Commissioners, of the general appearance and state of the farms, and to do all other matters relating to the advantage of the Estates under the direction of the Board of Commissioners or of the Committee on Farms from that Board.

His salary was fixed at four hundred dollars per annum.

The Board then proceeded to elect an agent, and George Bastian was duly elected.

The board thought it expedient from the large amount involved in the controversy between the next of kin of Stephen Girard and the city, to employ additional counsel to defend the interests of the city, in the suit then pending before the Supreme Court of Pennsylvania. Accordingly John M. Scott and Thomas Sergeant, Esqs. were retained. By a letter from those gentlemen, dated the 29th March, 1833, the Board was informed that in the case of Vidal vs. the Mayor, Aldermen and Citizens of Philadelphia, the Supreme Court had entered judgment for the plaintiff, in this and in other cases depending on the same question.

The Board feeling anxious to appropriate the funds already received from the executors of Stephen Girard, to the different objects mentioned in the will, and being prevented from doing so, until the College and Delaware Avenue funds were first permanently made up; and sufficient funds not being handed over for these objects addressed a letter, on the 16th March to the executors, a copy of which is hereto annexed, proposing sundry points on which information was requested. The reply of the executors is herewith submitted. On the 23d March, the President of the Board in compliance with their resolution, addressed a reply to that of the executors of the 20th, requesting them to transfer a sufficient amount of good securities for the purpose of accomplishing the objects of Mr. Girard's will: also to state the balance of the Bank fund remaining in the hands of the trustees, and whether it had yet been invested in pursuance of the directions of the will, a copy whereof is herewith submitted.

To this letter the Board has received no reply, but a communication has been sent to Councils by the executors, submitting a proposition which is now being considered by them. When the subject is determined,

there will be no impediment, the Board apprehends, in making up the College and Delaware Avenue funds, and leaving the balance to be applied to the other objects mentioned in the will, viz: the improvement of the police, improvements of the city property, and the diminution of taxation.

In reference to the situation of the Real Estate in the City and Liberties, the Board inform Councils, that it is now yielding a yearly rental amounting to nearly \$70,000, including the instestate property, which under the decision above referred to, passes from the city. This portion of the estate has been subject to charges for interest on mortgage, &c., an account of which, together with the receipts, are exhibited in the Treasurer's account.

All the Real Estate, with the exception of the two stores, No. 29 and 31 North Front street, are in the occupancy of tenants who generally pay the rent with punctuality; and a small portion of it may be considered as lost, amounting to a sum not exceeding \$400, the greater part of which falls upon the instestate property.

On the 2nd February a communication was received from Councils requesting the Board to obtain and report the opinion of Counsel on the following points.

First. Whether it is competent to the city Council to expend the surplus revenue of the Girard estate, (after appropriating all the income specially devised) in the improvement of the police, improvement of the city property, in diminution of taxes, in accordance with the 24th sect. of the will of Stephen Girard.

Second, Whether all the income must be reinstated and accumulated until it is determined what portion of the estate above the two millions specially devised for that object be necessary to carry into effect the 21st section of the said will.

These with other points have been submitted to the Counsellor, whose opinion thereon, when received, will be communicated to Councils. All which is respectfully submitted.

JOSHUA LIPPINCOTT, President.

Attest—MORGAN ASH, Secretary.

Philadelphia, April 1st, 1833.

The executors of the will of Stephen Girard have filed their accounts in the proper office. They claim,

On \$2,777,868 66, 2½ per cent.	\$69,446 68
On 1,886,756 14, 5 do.	94,337 80

\$163,784 48

Balance in the hands of the executors, to be paid to the city, \$476,451 40.

Statement of the quantity of rain which has fallen in each month of the present year:—

1st mo.	3.97 inches.
2d mo.	1.24
3d mo.	2.22
4th mo.	0.70
5th mo.	5.88

Pennsylvania Hospital, 6mo. 1st, 1833.

The Conestoga Navigation was sold by the Sheriff, on Saturday, the 1st instant, for the sum of Seventeen Thousand Five Hundred Dollars. William Coleman, Esq. of the city of Lancaster, and Edward Coleman, Esq. of Philadelphia, were the purchasers.

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EDITED BY SAMUEL HAZARD.

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PENNSYLVANIA STATE TEMPERANCE SOCIETY.

Job R. Tyson, Esq. appointed to prepare the *Annual Report* of the Managers of the Pennsylvania State Temperance Society, submitted the following, which was unanimously accepted and ordered to be published.

The Sixth Anniversary Report of the Board of Managers of the Pennsylvania State Temperance Society, Read May 22d, 1833.

While we have been animated with striking evidences of change of both in sentiment and practice, we regret the existence of unfounded prejudices against our institution. These prejudices whatever their origin, must of necessity circumscribe our operations and influence. We shall not, therefore, deem it wholly extraneous to endeavour to correct erroneous public impressions, in the hope that a brief explanation of our objects and views may be the means of reconciling our enemies and of confirming and multiplying the friends of temperance.

It has been suggested that societies of this description transcend their legitimate design in prescribing any restriction as to diet—in connecting with the vice of intoxication the subject of indulging in the common excesses of the table. Diet, it is thought, is not the cause of the mischiefs complained of, and ought therefore to be exempted from pursuit and proscription. The question with Temperance Societies is not whether luxurious indulgence be pernicious to health and inimical to life, but whether the subject of gastronomy and its consequences may not be safely left to the guidance of the physician. The great object proposed in the formation of these societies, was to destroy that which was proved to be the source of domestic misery, suffering and crime—which makes man insensible to the closest ties of affinity and nature—and which by transforming the native complexion of his character, prepares him for the commission of every atrocity. It was not the design of the members to elevate themselves into public censors for the purpose of denouncing or interfering with that which was not a subject of public concern. It is true that viands delicately and richly prepared, may require a stimulus of a higher excitement, but upon the same principle we may condemn tobacco and opium, since they in an eminent degree are obnoxious to a similar objection. The temperance societies as institutions with a proscribed object, though many of their members may individually esteem the use of opium and tobacco as hurtful and dangerous, and eschew the luxury of injurious esculents, must necessarily regard the pursuit of such practices as alien to the original purpose of their being. Their name declares them to be a body for the suppression of intemperance resulting from alcoholic liquids, and if this stupendous object be attained, they may leave to others the inferior task of prosecuting minor offences. But while they hurl their denunciations against *ardent spirit* as the baneful cause of much of the misery and woe around them, they refrain from all offensive imputations against *persons* who are engaged in its use and manufacture. They do not profess to be the sponsors of every kind and species of virtue—they do not congregate as moral and religious

puritans, seeking for reproof or condemnation, every diversity of vice and every laxity of principle. While disclaiming all intention to enact a code of morality, and to wage a romantic and fanatical war in defence of its principles, the members of this society simply claim for themselves the sober merit of *abstaining from the use of ardent spirits*, and of making every honest effort to induce others to imitate their example.

But for the purpose of exciting a deeper prejudice against the temperance enterprise, the sluices of sectarian jealousy were intended to be let loose, to flood and overwhelm it. The enemies of temperance, some of whom are stimulated by interest and others by infatuation to oppose it, have sought to secure the enmity of other sectaries, by branding it as a scheme entirely *Presbyterian*. It is certainly true that good Presbyterians as well as the virtuous of most sects, are enrolled among its members, intent as good citizens upon the removal of a disease which aims at the vitals of public and private prosperity. But so far is it from the fact that the temperance cause is subject to any exclusive influence, either Sectarian or otherwise, that not only almost every church without distinction of creed is represented in its body, but reflecting and patriotic men of all parties, ranks, and employments belong to it, who are attached to none. The friends of temperance while they disavow the ascendancy of any partial or sinister influence,—while they deny the existence of all party or sectarian feeling—lay no claim to the possession of superior virtue in attacking a widely spread and ruinous vice. *Good Citizenship*, in the absence of a higher sentiment, seems to demand it. It were, indeed, strange if the cause in which we are engaged should not summon to its aid the influences of piety and religion. But it requires little perspicacity to discern the character, and as little sanctimoniousness to attempt the destruction of a vice, which peoples our almshouses, hospitals, and penitentiaries, and which has so often conducted its victim to the gallows.

Equally absurd, injurious, and untrue is the allegation, that Temperance Societies seek to assail the institution of negro slavery in the South. However hostile many members and editors who are favourable to the cause, may be to slavery in the abstract, no *society*, national, state, or local, has so far forgotten the design of its formation as to attempt to touch it. It would amount not merely to a dereliction of duty but a gross impropriety that force which is destined for *one* object and collected without distinction of party, should be converted against *another*, with the view of subverting the purposes of party warfare. If Temperance Societies were thus to enlarge the sphere of their labours, they would betray the great and primary end of their institution. But in confining themselves to the acknowledged evil of intemperance, they occupy common ground upon which all *patriots* can meet,—they attack a vice which no one can be found to justify or defend. So far from these societies being a proper subject of reproof or condemnation at the South, our southern brethren have the stimulus of interest superadded to the excitements of patriotism, to induce them to co-operate in the enterprise. It is well known that the black population incur disease, premature superannuation, and untimely death, by gratifying their fondness for excessive drink.

ing. Besides there being comparatively few distilleries at the South, a very large portion of the ardent spirit they consume is imported from the other States. As therefore the general advantage of the country and the immediate interests of the South, are interwoven with the total disuse of this noxious beverage, we solicit their union and concert; since it is only by the universal observance of the temperance principle that the great work which has so successfully advanced, can be finally accomplished.

The war against drunkenness is not the creature of recent times. In Greece the Law of Pittacus visited crime when committed in a state of ebriety with a twofold punishment. Sir Edwark Coke calls the drunkard *voluntarius dæmon*, a voluntary dæmon whose condition so far from excusing criminality, is itself an aggravation. We may perceive how ardent spirit was viewed in England when in recent times its pernicious effects became more strikingly exemplified by its more extensive use. A statute was made in the reign of Henry 8th by which only a single manufacturer of the article was permitted in any town or borough of the kingdom. The Parliament of Ireland in the time of Mary expressly prohibited distillation, alleging the amount of injury resulting from it, as the reason of the prohibition. In the 4th year of the 1st James, the year preceding the first permanent settlement in Virginia, a law was enacted punishing intoxication with a fine or setting in the stocks, declaring it to be a loathsome and odious sin—the foundation of many enormous crimes such as bloodshed, stabbing, murder, swearing, &c.—leading to the ruin of good arts and manul trades,—the disabling of workmen, the impoverishment of the people, and the dishonor of God and the nation. In Pennsylvania it has been the subject of legal provision and private care from the earliest period. William Penn wrote in behalf of temperance as well as punished its violation in his Great Law. The Quakers who accompanied him to the colony, discouraged the use of ardent spirit, by prohibiting their members from manufacturing or trading in it under the penalty of expulsion. Those philanthropic writers Woolman, Lay, Benezet, and last, though greatest, the celebrated Rush, in successive order, were all strenuous and exemplary advocates of temperance. In later times the legislature of Pennsylvania took one branch of the subject under its care by declaring habitual drunkards to be *non compos mentis*, and deprived them of most of their civil rights as members of society. Thus from the combined force of sectarian interdict, legislative punishment, and occasional essays, Philadelphia was prepared for the reception of the easy and effectual plan, of removing this baneful evil by means of the extensive association of private persons, bound together in the pledge of abstinence. The Pennsylvania State Temperance Society dates its existence in July 1827, and looking at the efforts which were made to prepare the soil for its labors, a rich harvest of success may be anticipated. The managers indulge the grateful hope that the removal of prejudice and error with regard to the objects and composition of the society, is all that is necessary to enlist under its banners almost every citizen of Pennsylvania who is not prevented by the sordid motives of avarice and interest.

The period of the introduction of alcoholic spirit is to be sought during that reign of moral and intellectual night which followed the subversion of the Roman Empire. The alchymist who struck it out in his searches after the elixir of life, had afterwards reason to believe that though he did not discover the identical object of pursuit, he would be rendered as famous by the discovery as by the possession of the secret itself. It was for a long time confined to the shop of the Apothecary, and the purposes of the physician as a medicine, which while possessing senative properties, would, if copiously taken, prove itself a malignant and certain poison. About three centuries have elapsed since it escaped

from its destination in the medicine chest, to scatter its baneful influences over the world at large. It has been elevated from its humble station of a servant to the exalted condition of a master—from ministering to our physical ills to acquiring a potent dominion over our morals, intellects, and passions. The period of its introduction and spread being contemporary with the discovery of printing, it may be regarded as the mighty agent which was to control, restrict, and impede that glorious engine of modern civilization. If we take in to view the great achievements and transcendent capabilities of the press on the one hand, and the debasing moral effects of ardent spirit on the other, we shall be at no loss to account for the present condition of humanity with regard to criminal indulgence and physical discomforts. When books were scarce and the multiplication of copies difficult, the acquisitions of one age were transmitted only to the learned few in the succeeding; the lights of knowledge were confined to the orator, the poet, and the priest, and to those to whom they might, in an imperfect manner, be orally imparted. But a new era commenced, and a common day dawned upon the ignorant, on the invention of printing. The lights of knowledge and reflection became as diffusive as the brightness of the sun. Religion and the arts of life may now emphatically be said to be revealed. At a period like the present, what could so much retard the universal extension of good principles, as the predominance of a vice which enters into every neighborhood and almost every family, blighting with its malignant breath, the flowers of truth and virtue? What but ardent spirits could prevent man from growing up to his full stature, and attaining the proportions of his native dignity in a country where inducements are held out to reward honorable exertion, and every facility is presented for its exercise? What but a vice which is proved to be the cause of so much of the pauperism, venality, and crime of the world?

Before we exhibit in epitome some of the moral desolation produced by this tremendous scourge of the human race, it may be proper to remark, that from the great extent of the injuries inflicted, the mind is not properly impressed with their character. They are at once too vast and too common to excite our sensibilities. Intemperance has been so long assigned as the cause of our moral decline, and the occasion of numerous delinquencies, that we are too apt to regard it in the light of a grievance which is inseparable from human existence, and which no efforts can palliate or remove. It therefore should be one object of temperance societies to collect and to array single and incontestible facts. An instance of personal or family ruin from intemperance, strikes those who are too thoughtless and giddy to be captivated by general reasoning, or who will not contemplate a picture of human woe in the mass. What heart can resist the effect of single cases of wretchedness and crime, of so many and various diversities, multiplied in almost infinite succession? It is true, their very multiplicity forms the great obstacle to their collection. But, certainly, it behoves that the members of temperance societies, as faithful stewards of the great trust they have assumed, should seek out the victims of this noxious beverage, and report them for the public benefit. It is far from being recommended to expose to public view the distressing history of private calamities, but the effects may be related, whilst the unfortunate victim may be concealed from the public eye. The congregation of personal examples will produce a greater effect than eloquent speeches, able dissertations, or elaborate reports. The truth must be known by descending into details rather than by taking up the subject in the general. It is in this way that we are convinced of the consequences of gambling, and of the other injuries which lawless appetite or insatiate cupidity has inflicted upon society. Permit us illustrate this by example. It is a well ascertained fact both in England and this country, that *three fourths* of the beggary and pauper-

ism, *four fifths* of the aggravated crimes, at least *one half* of the madness, *nine tenths* of the suicides, and nearly *all* the cases of murder arises from ardent spirits. These are astounding facts, but they do not strike the mind with the same intensity as a few cases of personal mercy or wretchedness, produced by the same cause. Dr. Cathart, of York, Pennsylvania, benevolently kept a memorandum, during the year 1831, of the murders which were produced by intemperance and those which occurred from other causes. The proportion of the former was immense and the number almost incredible, but if the homicides occasioned by ardent spirits, had been published together, what an impression must such an accumulation of crime and woe have produced? A member of the Board of Managers, with the limited opportunity of reading a single daily paper, has been able to collect, within a very few weeks, no less than 15 cases of mortality produced by it; either in the form of sudden death, murder, *execution*, or suicide! It is therefore, respectfully submitted to the society whether such aggregations of simple facts may not be productive of greater consequences than such as do not come home directly to the hearts and bosoms of mankind.

In looking abroad over the field of our enterprise, the prospect almost sickens in proportion to the time bestowed upon it. We behold a large portion of the human family quietly consenting to the consumption of what though a physical poison, and the instrument of certain destruction addresses itself to the affections and is identified with the pecuniary interest of thousands. Cupidity caters to depraved and lawless appetite. Custom, if it has not consecrated the practice of using it as a beverage, contributes by its universality, to hide half its disgrace. Let us glance at the shocking prospect. The great extent of the manufacture and trade in spirituous liquors, shows that the quantity consumed is prodigious beyond belief. According to Mr. Palfrey, about one ninth of the foreign commerce of the United States, was engaged in 1827 in the importation of the article. The number of distillers was computed in 1816 at 20,000 and the calculation was made that there were about 65,000 stores and taverns in which it was retailed. Estimating the population of the United States at that time, at 6,000,000, and each family at 5 persons, every 19th family would be interested in the profits of the business. Pitkin, in his statistics of the United States calculates the annual consumption of spirits in 1810 at 31,725,417 gallons. In Pennsylvania alone, there were at that period 3,334 distilleries, which manufactured no less than 6,553,284 gallons of ardent spirits, being little more than one fifth of the supply of the whole United States. In 1825 the consumption in the whole Union, transcended 60,000,000 gallons, and in 1830, according to the results of the census taken in that year, it exceeded 70,000,000 gallons. With a demand so vast, the injury must be proportionate. It is calculated from means of information worthy of reliance, that there are about 300,000 habitual drunkards in the United States. Of course this estimate does not include the multitude of occasional toppers who, though not addicted to regular intoxication, are unfitted for business, weaken their physical and mental energies, render their families miserable and poor, and are ripe for the commission of crime. There are 200,000 paupers in the United States, of whom 150,000 are reduced to pauperism by intemperance. Of the 75,000 convicts immured for crime in the prisons of the United States, 60,000 are ascertained to owe their infamy to the influence of intoxication. About 3000 insane persons are confined in the hospitals of the country, of whom 1500 at least have been crazed by alcoholic poison. Most of the mortality annually arising from casualty, suicide and murder, and which is acknowledged to be frightfully great, may be attributed to the same cause. If we turn our eyes to Great Britain, we find the annual consumption of spirit amounting to fifty millions of pound sterling. The Bishop of London mentions in his address delivered on the 26th

of February, before the British and Foreign Temperance Societies, that 95,000 offenders committed during the last year to prison, in England and Wales, he had ascertained by inquiry instituted in districts, where to make inquiry was possible, 66,000 were made criminals by habits of drinking. It is stated in an English paper that in January last 4070 drunken persons in London, were carried to the different metropolitan police stations, and during the year 1832, 31,314 persons were taken into custody, in that city, in a state of intoxication.

What is it in our power to oppose to so direful an array? Let us see whether the plan of the temperance Society—the force it can wield—and the results which have followed its efforts—do not promise a determined and unresisting conflict. It will be gratifying to know that if the enemy be great, our allies are strong and formidable in proportion. The number of Temperance Societies existing in the United States exceeds five thousand. Of these there is a *National Society* at Boston, one at Washington composed of members of Congress, one in Massachusetts consisting of the members of its own Legislature, and 21 distinct *State* institutions, branching out into a multiplicity of subordinate establishments. About *one million* of persons who belong to one or more of these Societies are *pledged* to abstinence from ardent spirits, and it is calculated that about a *million more* scrupulously abstain from its use and traffic who are not joined in actual fellowship. More than 7000 vessels now traverse the ocean without the aid of ardent spirit, as being wholly unnecessary either to sustain the passengers or animate the crew. It is stated that of 97 vessels which sail from the single port of New Bedford, 75 sail without it. More than 2000 distilleries have been stopped, more than 4500 drunkards have been reclaimed, two hundred public houses have ceased to sell any kind of intoxicating liquor, and 60,000 farmers and mechanics have totally relinquished it as the greatest enemy to success in the prosecution of their peculiar pursuits. More than 6000 merchants have declined the buying and selling of ardent spirit as an article of merchandize. In this enumeration it is grateful to observe of the many who are either pledged to abstinence, or who have in fact no connexion with the article, that the proportion of merchants and distilleries is very respectable. From these quarters the least aid and the stoutest resistance were always expected. It is gratifying to learn that the influence of our example is felt, and the same means are employed, in foreign countries for the extirpation of intemperance. A report read at the Temperance meeting held in London on the memorable 26th of February, informs us that there existed in England 250 associations for the same object comprising 45,000 members; in Scotland 380 Societies with 50,000 members; and that in Ireland the Societies amounted to 150 and 20,000 members. The influence of these Societies is observable in the decline of the trade and manufacture of ardent spirit. According to official returns a diminution of 981,789 gallons had taken place in the consumption of the United Kingdom during the year terminating on the 5th of last January. The diminution of spirit manufactured in Ireland in 1830, amounted to 210,903 gallons, and in the first half of 1831, there was a decrease in the demand amounting to 721,564 gallons. In Scotland during the same period, the consumption had lessened 513,697 gallons. In Sweden a *Sobriety Society* was formed, three years ago, at Stockholm, the capital of the Kingdom; and now numbers above a thousand members. Since that time many have sprung into existence in various parts of the realm. Their effects are perceptible in the abandonment of distilleries, the diminution of crime, and the gradual accession of members. Charles John, the King, has thought proper to sanction these proceedings of his subjects by a special circular in which praise is bestowed for their exertions, and an exhortation to greater activity. Applications have been

received by the President and Corresponding Secretary of this Society from Prussia, Spain, and Denmark, for information touching the plan of operation adopted in Pennsylvania, and as each has been abundantly supplied with documents and reports, we doubt not that we shall soon be cheered with the animating intelligence of the formation and success of temperance societies in those countries. In the provinces of Upper and Lower Canada the number of temperance associations is estimated at above 100, and the number between 7 and 8000. The Temperance Societies of New Brunswick and Nova Scotia, notwithstanding the short period of their existence, have been so successful that the Governor in a recent message to the Legislature attributes in part the decline of the provincial revenue to the diminished consumption of ardent spirit. All the establishments at Owyhee the capital of the Sandwich islands for retailing the article have been broken up. In short which way soever we turn, abundant evidence is presented of a kindling and spreading sensibility strong enough to repel the combined forces of interest and passion. It is only necessary to the complete overthrow of intemperance that this great enterprise should be prosecuted with steadiness and industry in the diligent collection of facts, in explaining the principles by which we are regulated, and living in undeviating conformity to the requisitions of our pledge. There are one or two considerations which must cheer on their way the votaries of the cause, and enable them to sustain the reproaches of contumely and the gibes of ridicule. No hope or benefit can be imputed to the advocates of temperance, but what will redound to the common advantage of the country and of man. An association for such an object being unable to propose to itself either place, popularity, or emolument, ignoble motives can have no participation in the matter. When we look at the number of the various bodies in this country amounting to a million who abstain from ardent spirit without reference to religious sect, political party, of secular employment—when we look at the present number and anticipate the prospective magnitude of similar institutions in Europe—and when we regard the individual respectability and personal eminence they include—we shall be in some measure compensated for the sneers of the thoughtless, the ignorant, the avaricious, and the bad. There is enough to stimulate us to increasing effort in the face of opposition and ridicule, whether we contemplate the glorious results already obtained, or the still greater achievements which sedulous and unremitted exertion can secure.

The Pennsylvania State Temperance Society has gone on during the last year increasing in number, respectability, and usefulness. Considering the recency of its origin, only six years ago, and the obstacles which temperance has had to encounter in a state which possessed half as many distilleries as the rest of the confederacy united, the success has been signal and surprising. The feverish sensibility of the citizens of Pennsylvania, in relation to this subject, was manifested at an early period. The excise laid on whiskey in 1794 by the Federal Government, gave rise to simultaneous resistance in a large section of the State. Much of the great pecuniary capital which originated that memorable rebellion, is still invested in distilleries, and though it might not at the present day render the people unfaithful to their allegiance, it stands ready to resist by all the army of ridicule and opprobrium, the inroads of private exhortation and example. Notwithstanding these barriers to the popularity of the enterprise, many auxiliaries have been formed in various counties, and the most encouraging accounts are related of their progress. Information has been received of auxiliary societies in the following counties, to wit: Philadelphia, Montgomery, Chester, Lancaster, Northampton, Washington, Centre, Cambria, Bradford, Susquehanna, Bucks, Alleghany, Erie, Westmoreland, Franklin, Luzerne, Indiana, Juniata, York, Fayette, Union, Dauphin, Mifflin,

Butler, and Carroll in the State of Ohio. Erie enumerates 15 subordinate associations, comprising in all 1400 members. In Washington county there are 22 auxiliary bodies, giving to the county according to a recent computation about 3000 members. The accounts from Butler are highly satisfactory. The number of members is computed at 1200 and a decided change is observed in the sentiments and practice of the people.

The Report of the Columbia Temperance Society, Lancaster county, is most favourable and gratifying. Auxiliary institutions are springing up and diffusing the most healthful views in confirmation of their principles. One distillery has been abandoned, two grocers have declined selling spirit, and two persons have refused to malt for distillers. Many farmers gathered their crops during the last season without the use of ardent spirits, and the fine bridge now erecting over the Susquehanna is intended to be built without the agency of such a beverage. The society in Tuscarora valley, Juniata county, furnishes the acceptable intelligence that within that district eight distilleries are discontinued and four stores have ceased to retail spirituous liquors. In Mifflin county, the number of members is 850—six distilleries have been discontinued—and the consumption of alcohol is ascertained to be less than one-fifth of its amount, before the establishment of the American Temperance Society. Fayette reports eleven auxiliaries and 1500 members. In many other counties which will be referred to in the appendix to this report an active and energetic spirit in the proscription of alcohol has prevailed—numbers are daily acceding to membership—and the effects of their example are manifest in the constant diminution of its trade and manufacture. The cause in this city has likewise advanced by the institution of a society in every ward, and the establishment of similar bodies by young men and under their exclusive direction. By means of these societies and the circulation of a weekly paper under the auspices of this association, called "The Pennsylvania Advocate," the public are rousing to the magnitude of the multifarious and shocking evils which always march in the train of ardent spirits.

It is only by active exertion in the collection and distribution of facts that the public will at length be convinced of the terrible results of intemperance. They will then know that the picture which we draw is not overcharged—that the calamities we complain of, are not the coinage of diseased or heated imaginations—but that, in truth, it is a poison which shortens life—that it is one pre-eminently great cause of our public burthens—the source of moral contamination and ruined virtue—the fruitful origin of private distress and public pauperism, and of crime suicide and murder. They will feel too that the votaries of temperance labour from large and public motives—disdainful of fear while they are superior to ambitious hope—and that in abstaining from the beverage against which they inveigh, the temperance pledge is not a solemn mockery requiring only opportunities for its violation.

REPORT ON PRISONS. (Continued from page 374.)

Warden's Report.

After another year's experience, with an increased number of prisoners, it will be pleasing to all the friends of separate confinement to know, that we can adopt the language in my last annual report: "That nothing has occurred to discourage, but much to prompt us in a steady perseverance in the Pennsylvania system of prison discipline." I believe this can be truly said of the past year, as regards the moral physical, and the pecuniary state of the establishment.

Those who are acquainted with the previous morals and habits of most of the inmates of prisons, will not expect that all convicts will be made pious men and good citizens by incarceration in a cell: to effect this

would, indeed, be performing a miracle; but I think it doubtful, whether there is any situation in which an unfortunate man, who has wandered from the path of rectitude, can, be placed, were he will so soon be made to feel and see his error, and desire to return to the right way. The punishment inflicted not merely on the body, but on the mind of the prisoner, uniting severity and humanity, is one which the unhappy culprit feels with all its force; but there is nothing in its operation calculated to increase his evil passions, or stimulate him to hatred or revenge; those who have the care of him, treating him with the kindness and compassion which are due to the unfortunate man, rather than the unnecessary and unfeeling harshness too frequently displayed towards the victims of folly, vice and crime, he is soon made to feel that the horrors of his cell are the fruits of sin and transgression, and the only certain relief to be obtained is through his Redeemer. Having no one to prompt in wickedness or shame him for his tears, he becomes humbled in spirit and anxious for help in the way of truth: and I am pleased to be able to say, that I do believe that there are some who rejoice that they have been brought here. I can truly say, that the more I see of the operation of our system, and the more thoroughly I become acquainted with the character of its inmates, the more important I view its establishment, and the greater its humanity appears. It is a mistake to believe that the inmates of prisons are a set of outlaws and tiger-like beings, lost to all good in this world, and without hope of an hereafter. Too many, (indeed most of them,) on first convictions, are either neglected youths thrown into the world without education and without friends, (often the victims of hard masters,) or ignorant men, the dupes of artful knaves who know how to elude detection. Neglect of early education, the use of ardent spirits, gambling and dealing in lottery tickets, are the most prominent causes of felony.

The deficiency in common school learning is greater than is generally supposed: of the 142 prisoners which have been received here from the commencement, only four have been well educated, and only about six more who could read and write tolerably; and we rarely meet with a prisoner who has had attention paid to moral and religious instruction.

The eastern district, that sends its prisoners to this penitentiary, comprises a population of about one million of inhabitants: during the three and a half years in which the law has been in operation, 126 persons have been sent here for all offences of a higher character than larceny; and of the whole number, but one that can be called a master spirit in crime. Many reasons may be assigned for the diminution of this class of prisoners; but I believe that it may be attributed mainly to the knowledge that the community of thieves have of the nature and discipline of our establishment, and particularly three important features in it.

1st. The entire separation of the convicts, both by day and night, and the seclusion from all except their keepers.

2d. Their being deprived from all intercourse or knowledge of every kind with either their family or friends.

3d. That the friends of the system would use their endeavours to discourage the granting of pardons, so that the punishment might in all cases be certain; and the determination of the board of inspectors to refrain from recommending the Governor to pardon, as has been the practice in the old prison.

There can be no doubt but these features in our system have had an effect, especially among the old convicts; for, of the 142, (the whole numbers received) 100 are known to be for the first offence, 10 are doubtful, and but 32 who are known and believed to be old offenders. No prisoner whom we have discharged has been reconvicted, and the information from those who have left here, has been generally satisfactory.

The plan pursued from the first, of purchasing stock

and manufacturing on our own account, while it has many advantages, and in the number, that of excluding contractors and their agents from intercourse with the prisoners, subjects us to fluctuations common to all in trade. The last having been an unfavourable season in our commercial community, we have felt the effects of it in the disposal of our cotton fabrics. I am glad, however, to find, on the taking of an account of stock and a settlement of our books to the first of last month, that the establishment has more than paid all its expenses, exclusive of officers' salaries. This result is satisfactory; for, although it never was contemplated to make profit a primary object, yet it is desirable that the convict should not be a burthen to the state. As it has been proven that they can work to advantage in their cells, at both weaving and shoemaking, there can be little doubt but, with proper management, after a full organization, every expense will be paid by their labour. The prisoners are employed as follows:—43 in the dyeing, dressing and weaving; 32 shoemakers; 4 carpenters; 5 blacksmiths; 2 wheelrights; 3 making and mending clothes; 2 washing clothes; 1 fire maker; 1 apothecary; 1 segar maker; 1 cook; and 2 idle. Only nine of the weavers, and four of the shoemakers, understood these branches when first admitted.

Of the 97 prisoners now in confinement, 74 are white males, 19 coloured males, and 4 coloured females: Eight are under twenty years of age, fifty-one from 20 to 30, twenty-one from 30 to 40, ten from 40 to 50, five from 50 to 60, one from 60 to 70, and one over 70.

Thirty-seven are natives of Pennsylvania, thirteen of New Jersey seven of Delaware, six of Maryland, six of New York, two of Connecticut, two of Virginia, one of Tennessee, one of Rhode Island, eleven of Ireland, six of England, one of Netherlands, two of France, one of Holland, one of Switzerland.

The general conduct and behaviour of the prisoners, has been such as rarely to produce any unpleasant feelings, on the part of their overseers, towards them.

The result of three years' practice, having so fully demonstrated the advantages of separate confinement, by day and night, over every other system known to me, I cannot but desire to see it introduced into prisons of every civilized community.

Before I conclude this report, I earnestly request your attention to one of the great principles on which our discipline is founded, namely: The prevention of further corruption, by depriving prisoners of all opportunity of forming or extending an acquaintance with each other—an acquaintance which almost necessarily insures their education in all the modes of perpetrating crime, and eluding detection and conviction. Even if this almost inevitable result could be prevented in the common prisons of the state, as they are at present administered; and if a prisoner could be discharged, uncontaminated by his associates, still his person and history would be known by his companions in confinement; and after their discharge, would too often be eagerly divulged to others, and thus the new character of a repentant convict be blasted, and he would too probably relapse into his old habits. In our penitentiary, this great evil to which I have alluded, is prevented; or, I should rather say, its progress is arrested; but in the county prisons, whence we derive our inmates, it exists to a deplorable and disgraceful extent. In these establishments, scarcely any classification is attempted, and no effectual separation is made; discipline is neglected, corruption increased, reformation is hopeless, and many most flagrant abuses are known to be practised without any mitigation. Convicts received by us from such county prisons, may indeed frequently be reformed by our discipline; the lessons of vice they have learned, when placed in a confinement which the law intended should be salutary, may sometimes be eradicated afterwards; but the great, the irremediable evil,

(See page 386.)

TABULAR STATEMENT, A.

No.	Sex.	Place of Nativity.	When sentenced.	Time.	Offence.	At what court sentenced.	Times convicted.	When discharged.	How discd.
118	Male.	Harrisburg, Pa.	October 22, 1829.	2 years.	Burglary.	O. T. Delaware co.	First.	October 22, 1831.	Time out.
220		Chester county, Pa.	November 7, 1829.	1 year.	Horse stealing.	Q. S. Chester.	First.	November 7, 1830.	Time out.
328		Fayetteville, N. C.	November 21, 1829.	11 years.	Highway robbery.	O. T. Philadelphia.	Third.	July 6, 1832.	Pardoned.
418		Philadelphia.	November 21, 1829.	8 years.	Highway robbery.	O. T. Philadelphia.	Fourth.		
542		Franklin co. Pa.	November 11, 1829.	2 years.	Horse stealing.	Q. S. Cumberland.	First.	November 11, 1831.	Time out.
622		City of New York.	November 17, 1829.	2 years.	Horse stealing.	O. T. Lancaster.	First.	November 11, 1830.	Time out.
718		Perry co. Pa.	November 11, 1829.	1 year.	Horse stealing.	Q. S. Franklin.	First.	November 25, 1831.	Time out.
829		Guernsey co. Ohio.	November 25, 1829.	2 years.	Horse stealing.	Q. S. Adams.	First.	December 28, 1830.	Time out.
922		Armagh, Ireland.	December 28, 1829.	1 year.	Forgery.	Q. S. Philadelphia.	First.	January 2, 1832.	Time out.
1031		Hartford, Connecticut.	January 2, 1830.	2 years.	Forgery.	O. T. Schuylkill.	Fourth.	January 21, 1831.	Time out.
1148		Virginia.	December 30, 1829.	1 year.	Horse stealing.	O. T. Schuylkill.	First.	January 5, 1832.	Time out.
1219		Lancashire, England.	January 5, 1830.	2 years.	Forging a check.	Mayor's Ct. Philadelphia.	Sixth.	May 17, 1831.	Died.
1326		Trenton, New Jersey.	January 5, 1830.	2 years.	Forgery.	Mayor's Ct. Philadelphia.	First.	January 21, 1831.	Time out.
1421		Herkimer, New York.	January 4, 1830.	1 year.	Forgery.	O. T. Columbia.	First.	January 15, 1832.	Time out.
1526		Carlisle, Pa.	January 15, 1830.	2 years.	Manslaughter.	O. T. Cumberland.	Third.	April 19, 1831.	Time out.
1620		Charleston, S. C.	January 19, 1830.	15 months.	Horse stealing.	Q. S. Lancaster.	First.	February 8, 1832.	Time out.
1730		Queen Anne's co. Md.	February 6, 1830.	2 years.	Burglary.	O. T. Chester.	First.	February 2, 1832.	Time out.
1855		Near Carlisle, Pa.	February 2, 1830.	2 years.	Burglary.	O. T. Locoming.	First.	November 29, 1830.	Died.
1940		Bucks co. Pa.	March 12, 1830.	1 year.	Passing a counterfeit note.	Q. S. Philadelphia.	First.		
2028		County Down, Ireland.	April 24, 1830.	12 years.	Murder.	O. T. Philadelphia.	First.		
2121		Strasburg, France.	April 24, 1830.	12 years.	Murder.	O. T. Philadelphia.	First.	April 24, 1832.	Time out.
2232		Near Albany, New York.	April 24, 1830.	2 years.	Burglary.	O. T. Philadelphia.	Third.	April 15, 1831.	Time out.
2331		Northampton co. Pa.	April 14, 1830.	1 year.	Forgery.	Q. S. Montgomery.	Second.	May 7, 1832.	Time out.
2423		Chester co. Pa.	May 7, 1830.	2 years.	Burglary.	O. T. Chester.	First.	May 7, 1832.	Time out.
2518		Wilmington, Del.	May 7, 1830.	2 years.	Burglary.	O. T. Chester.	First.	May 7, 1832.	Time out.
2634		Smyrna, Del.	July 31, 1830.	1 year.	Forgery.	Q. S. Philadelphia.	First.	August 1, 1831.	Time out.
2728		Tyrone co. Ireland.	August 5, 1830.	3 years.	Horse stealing.	Q. S. Perry.	Second.		
2841		Philadelphia.	August 21, 1830.	4 years.	Murder.	O. T. Montgomery.	First.	April 15, 1831.	Time out.
2923		Nashville, Tennessee.	August 17, 1830.	5 years.	Burglary.	O. T. Montgomery.	Third.	May 7, 1832.	Time out.
3021		New Jersey.	August 17, 1830.	10 years.	Burglary.	O. T. Montgomery.	First.	May 7, 1832.	Time out.
3124		Cumberland co. N. J.	August 17, 1830.	10 years.	Burglary.	O. T. Montgomery.	First.	August 1, 1831.	Time out.
3222		Yardleyville, Pa.	August 17, 1830.	9 years.	Burglary.	O. T. Montgomery.	First.	March 6, 1831.	Died.
3328		Near Kingston, E. Jersey.	August 17, 1830.	9 years.	Burglary.	O. T. Montgomery.	First.		
3453		Chalons, France.	August 12, 1830.	13 years.	Murder.	O. T. Berks.	First.		
3570		West Greenwich, R. Isl'd.	August 10, 1830.	8 years.	Murder.	O. T. Luzerne.	First.		
3631		County Donegal, Ireland.	August 17, 1830.	4 years.	Horse stealing.	O. T. Northampton.	Second.		
3728		Philadelphia.	August 23, 1830.	3 years.	Burglary.	O. T. Northampton.	Third.	August 17, 1831.	Time out.
3819		Utica, New York.	August 17, 1830.	1 year.	Horse stealing.	Q. S. Northumberland.	First.	August 17, 1831.	Time out.
3920		Northumberland co. Pa.	August 17, 1830.	1 year.	Horse stealing.	Q. S. Northumberland.	First.	August 4, 1832.	Died.
4020		Adams co. Pa.	August 25, 1830.	3 years.	Burglary.	O. T. Adams.	Third.	September 27, 1832.	Time out.
4128		Philadelphia.	September 27, 1830.	2 years.	Horse stealing.	Q. S. Philadelphia.	First.		

4231	Male, Ireland	September 30, 1830.	3 years	Passing forged notes	Q. S. Philadelphia	Second	August 20, 1831	Died.
4335	Sussex county, Del.	October 6, do	3 years	Horse stealing	do do	First	October 4, 1832	Time out
4441	Lancaster co. Penn.	October 9, do	2 years	Horse stealing	O. T. Lancaster	First	November 9, 1831	Time out
4543	Sassafras, Maryland	October 9, do	13 months	Robbery	do do	First		
4649	Hartford co. Maryland	November 8, do	4 years	Burglary	O. T. Berks	Second		
4726	Luzerne co. Pa.	November 19, do	8 years	Murder	O. T. Lancaster	First		
4819	Smithfield, Madison co N.Y.	November 17, do	2 years	Horse stealing	do do	First	March 8, 1832	Pardoned
4925	Chester co. Pa.	November 19, do	12 years	Murder	O. T. Montgomery	First	September 3, 1832	Suicide
5036	County Down, Ireland	December 4, do	7 years	Robbery	O. T. Philadelphia	Second		
5141	Reading, Connecticut	Do do	5 years	Robbery	do do	Fourth		
5237	Philadelphia	Do do	5 years	Burglary	do do	Sixth		
5321	Philadelphia	Do do	5 years	Burglary	do do	First		
5434	Ireland	Do do	5 years	Manslaughter	do do	First		
5520	Montgomery co. Md.	Do do	5 years	Burglary	do do	Fifth		
5630	Philadelphia	October 25, do	10 years	Robbing U. S. Mail*	Circuit Court U. S.	First		
5754	Miles Town, near Philada.	December 20, do	5 years	Burglary	O. T. Philadelphia	First		
5840	Camden, New Jersey	December 14, do	12 years	Rape	O. T. Bucks	First		
5927	Ulster co. New York	January 8, 1831.	1 year	Passing counterfeit coin	Q. S. Luzerne county	First	January 8, 1832	Time out
6023	Northumberland co. Pa.	January 7, do	1 year	Forgery	do Columbia	First	April 4, 1831	Pardoned
6147	Sunbury, Pa.	January 17, do	2½ years	Horse stealing	O. T. Dauphin	First	August 6, 1832	Pardoned
6231	Lancaster co. Pa.	January 25, do	4 years	Forgery	do Lancaster	First	February 19, 1832	Time out
6321	Philadelphia	January 19, do	13 months	Horse stealing	do do	First		
6424	Southern States	January 19, do	4 years	Burglary	do do	First		
6530	Orange county, N. Y.	March 16, do	4 years	Forgery	Q. S. Philadelphia	Third		
6621	Philadelphia	March 16, do	4 years	Forgery	do do	First		
6738	Ireland	April 5, do	3 years	Horse stealing	do York	First	April 8, 1832	Time out
6822	Luzerne county	April 8, do	1 year	Horse stealing	do Luzerne	First		
6930	Connecticut	April 30, do	6 years	Burglary	O. T. Philadelphia.	Second		
7027	Delaware	April 30, do	6 years	Burglary	do do	Fourth		
7126	New Jersey	April 30, do	6 years	Burglary	do do	Third		
7238	Philadelphia	April 30, do	6 years	Burglary	do do	Second		
7321	Delaware	April 30, do	3 years	Manslaughter	do do	Third		
7420	Philadelphia	April 30, do	6 years	Manslaughter	do do	Second		
7519	Bradford county, Pa.	May 14, do	3 years	Horse stealing	Q. S. Bradford	First	February 10, 1832	Pardoned
7618	London	June 23, do	1 year	Forgery	Mayor's court Philadelphia	First	October.	Died
7753	Delaware	April 19, do	4 years	Horse stealing	O. T. Lancaster	First		
7831	Holland	July 9, do	4 years	Forgery	Mayor's court Philadelphia	First		
7921	Philadelphia	August 6, do	2 years	Passing counterfeit coin	O. T. Berks	First		
8018	Berks county, Pa.	August 6, do	2 years	Burglary	do do	First		
8125	Derks county, Pa.	August 6, do	4 years	Arson	do do	First		
8224	New York	August 9, do	2 years	Horse stealing	Mayor's court Lancaster	First		
8330	Bucks county, Pa.	August 16, do	4 years	Robbery	O. T. do	Third		
8423	England	August 19, do	4 years	Horse stealing	Q. S. Northumberland	First		
8525	England	August 19, do	4 years	Horse stealing	do do	First		
8646	York county Pa.	April 21, do	15 months	Horse stealing	do Lancaster	First		

* Received at the particular request of the United States Marshal, and to be removed if his cell should be required for a State Prison.

TABULAR STATEMENT, A. (Continued.)

No.	Sex.	Place of Nativity.	When sentenced.	Time.	Offence.	At what court tried.	Times convicted.	When discharged.	How died.
87 21	Male.	Bucks county, Pa.	September 12, 1831.	3 years	Horse stealing	Q. S. Bucks	First		
88 29	—	—	September 28, do	7 years	Intent to commit rape.	Q. S. Philadelphia	First		
89 52	—	England	October 4, do	7 years	Ass't. and bat. with intent to murder	Mayor's ct. do	First		
90 25	—	Ireland	October 5, do	14 months	Larceny	Do do	First	December 5, 1832	Time out
91 24	—	Delaware	October 24, do	13 months	Larceny	Do do	First	November 24, 1832	Time out
92 24	—	England	November 1, do	31 years	Horse stealing	Q. S. Schuylkill	First		
93 60	—	Montgomery county, Pa.	November 17, do	1 year	Perjury	Do Columbia	First		
94 26	—	Virginia	November 17, do	2 years	Larceny	Do Cumberland	Second		
95 21	—	New Jersey	November 17, do	3 years	Larceny	Mayor's court Lancaster	First		
96 20	—	Delaware	November 17, do	3 years	Larceny	Do do	First		
97 26	—	Bucks county Pa.	November 24, do	4 years	Arson	O. T. Montgomery	First		
98 39	—	London	November 30, do	2 years	Burglary	Do Delaware	Fourth		
99 15	—	Philadelphia	December 10, do	2 years	Burglary	Do Philadelphia	First		
100 24	—	Delaware	December 10, do	2 years	Manslaughter	Do do	First		
101 29	fem.	Delaware	December 10, do	2 years	Manslaughter	Do do	First		
102 42	—	—	December 23, do	12 years	Murder	Do Lancaster	First		
103 38	male	Lancaster county, Pa.	November 23, do	3 years	Robbery	Do Dauphin	First		
104 21	—	Maryland	November 26, do	3 years	Larceny	Mayor's court, Philadelphia	First		
105 18	—	Philadelphia	December 20, do	2½ years	Larceny	Do do	First		
106 40	—	Philadelphia	December 21, do	3 years	Larceny	Do do	First		
107 34	—	Ireland	December 27, do	18 months	Larceny	Do do	First		
108 29	—	New Jersey	December 29, do	3 years	Larceny	Do do	First		
109 23	—	Bucks county, Pa.	December 29, do	3 years	Larceny	Do do	First		
110 52	—	Maryland	January 5, 1832.	2 years	Larceny	Do do	Second		
111 27	—	Pennsylvania	January 12, do	3 years	Burglary	O. T. Cumberland	Fifth		
112 27	—	New York	January 28, do	2 years	Perjury	Q. S. Wayne	First		
113 36	—	New York	January 28, do	2 years	Larceny	Do do	First	May 26, 1832	Died †
114 36	—	New Jersey	March 8, do	1 yr & 15 ds	Horse stealing	Do Philadelphia	First		
115 27	—	Delaware	March 20, do	3 years	Horse stealing	Mayor's ct. do	First	May 31, 1832	Died
116 26	—	Pennsylvania	March 14, do	1 year	Horse stealing	Q. S. do	First		
117 21	—	New Jersey	March 19, do	2 yrs & 2 ds	Larceny	Do do	First		
118 27	—	Ireland	March 26, do	18 months	Larceny	Mayor's court, Philadelphia	First		
119 33	—	New Jersey	April 18, do	4 years	Robbery	O. T. Philadelphia	Second		
120 20	—	France	April 17, do	2 years	Burglary	Do do	First		
121 22	—	New Jersey	Do do	3 years	Burglary	Do do	First		
122 51	—	Maryland	April 2, do	3 years	Rape	O. T. Franklin county	First		
	—	Pennsylvania	May 2, do	3 years	Passing counterfeit money	Q. S. Lehigh county	First		

125/50	—	Switzerland	May 2,	1832.	12 years	Passing counterfeit money	Q. S. Lehigh county	First
124/30	—	Pennsylvania	May 4,	do	2 years	Manslaughter	O. T. do	First
125/22	—	New Jersey	May 1,	do	6 years	Manslaughter	O. T. Bucks county	First
126/27	—	Pennsylvania	December 4,	1830.	5 years	Burglary	O. T. Philadelphia	Second
127/34	—	New York	June 18,	1832.	6 years	Forgery	O. S. do	Second
128/69	—	Ireland	Do	do	3 years	Horse stealing	Mayor's court, Philadelphia	First
129/48	—	Philadelphia	June 16,	do	3 years	Forgery	Do do	Second
130/21	—	Maryland	June 20,	do	2 years	Larceny	Do do	First
131/23	—	Pennsylvania	August 3,	do	4 years	Burglary	O. T. Chester county	First
132/16	—	Delaware	August 27,	do	5 years	Arson	O. T. Delaware	First
133/40	—	New York	August 23,	do	2 years	Subornation of Perjury	Q. S. Pike county	First
134/22	—	Pennsylvania	August 16,	do	1 year	Horse stealing	Q. S. Franklin county	First
135/18	—	Do	August 21,	do	2 years	Burglary	O. T. Lancaster county	First
136/27	—	New York	September 11,	do	4 years	Horse stealing	O. S. Bucks county	Second
137/18	—	New Jersey	November 3,	do	2 years	Burglary	O. T. Chester	First
138/32	—	Do	Do	do	2 years	Burglary	Do do	First
139/33	—	Pennsylvania	November 20,	do	3 years	Horse stealing	O. T. Lancaster	First
140/27	—	Do	Do	do	2 years	Horse stealing	Do do	First
141/23	—	Do	November 19,	do	2 years	Larceny	Q. S. Northampton county	First
142/27	—	England	December 19,	do	3 years	Horse stealing	Q. S. Philadelphia county	First

† No. 49. It was believed that this man committed an arson in Montgomery county; he was arrested and about to be put on his trial, but the Court were so well satisfied of his insanity, that they refused to try him, and sent him to the Poor House for safe keeping. After being confined there for some time he made his escape; he was pursued and overtaken by the Superintendent, when a conflict ensued, which terminated in the death of the Superintendent. For this offence he was tried, found guilty of murder in the second degree, and sent here for 12 years. From the day of his reception to his death, he showed strong and decided symptoms of derangement; not more latterly than at first. It is believed that he would not have been convicted of this last offence, but to enable the court to confine him in a place of security.

‡ No. 112. The singular conduct of this man in committing the acts for which he was convicted, gave strong grounds to believe that there was a decided aberration of mind. The very respectable counsel who defended him on trial, put in a plea of insanity—and this gentleman has declared since the prisoner's death, that he has no doubt but that he was subject to fits of insanity, and that he was in that state of mind when the acts were committed. About one week after his arrival here, he had one of these fits, which lasted nearly a week—he then became composed, and remained so for some time—he had several repetitions of these fits previous to his death.

has already been effected. The persons, &c. of such convicts, are known to the great community of rogues, and therefore, even if their reformation be effected when discharged from our penitentiary, too many temptations to relapse, too many obstacles to their commencement in the pursuits of honest industry, may and probably will be encountered by them. Hence our institution cannot produce all the advantages of which it is susceptible, until the county prisons are reformed by the same plan of separate confinement, &c. which we pursue. If an inquiry into the condition of these prisons could be made, by order of the Legislature, I am confident the remarks I have made would be substantiated; and, that many important benefits would result from such an inquiry, is the opinion of some of our most intelligent and humane citizens.

All of which is respectfully submitted by

SAMUEL R. WOOD, Warden.

Philadelphia, 12th mo. 31st, 1832.

REPORT OF BUILDING COMMITTEE.

To the board of inspectors of the state penitentiary for the Eastern district of Pennsylvania.

Notwithstanding the opportunities embraced so constantly by their fellow members of the board, to witness the progress of the great work under their charge; the building committee in accordance with their duties submit the following report:—

The building operations were resumed as early in the spring as the state of the weather would warrant; contracts had been previously made for the supply of the various materials, which were seasonably and regularly furnished until the period when the pestilential scourge visited our borders in the months of July and August last; considerable difficulty then occurred in procuring some of them, and more especially the iron castings from our neighbouring state, New Jersey; the contractor found it quite impracticable to cause their timely delivery, owing to the dread of cholera in the minds of those engaged for the transportation of them: this difficulty tended greatly to impede the progress of the work, so much so, that on one or two occasions the masons were about to be discharged, and, your committee have no doubt, prevented the completion of the buildings to the extent they anticipated at the opening of the season, at which time they confidently expected, that, ere the approach of severe frost should forbid the prosecution of their labours, the three blocks of cells would be covered in.

No pains have been spared to have every branch of the works executed in the most substantial manner; and our committee believe that strict attention has been paid to the exercise of proper economy in procuring the materials as well as judicious and capable workmen; all those who have continued in the service, have manifested industry in their various employments; a degree of good feeling and harmony, almost unexampled, where the same number of men have been engaged, has prevailed among them, which your committee feel persuaded may be mainly attributed to the entire exclusion of ardent spirits; this great work having been carried on, not only this, but the last year, without dispensing to the men the needless and too common "usual allowance of grog;" it gives your committee great pleasure to record this fact, and to express their opinion that, in more instances than one, men, who had been habitual drinkers of ardent spirits to excess, have entirely abstained; learning from the observance of our rule on that point, that they could perform a satisfactory day's work, without recurrence to the bottle: the number of hands employed have averaged about 130; of this number, only one death occurred, and that of cholera.

The alterations adopted by the board on the suggestion of the architect, in some of the minor details, as well as in the enlargement of the cells on the ground floor, your committee have no doubt will prove judicious

and of great advantage to all concerned in the management of the penitentiary. The alteration of the sky light, while it affords a great increase of light in the cell, also gives the means of much more efficient ventilation, and has induced the adoption of the same principle in the sky lights in blocks No. 1, 2 and 3, with the most beneficial results. The additional length of three feet to the lower cells offers great facilities in some branches of manufactures performed by the convicts, the loss of which in those now occupied by them is much to be regretted, especially where the looms are used.

The introduction of a doorway from the corridor to the cell, is a decided improvement: it does in no degree interfere with the privacy or security of the convict, and affords the opportunity of more ready admission to the prison, whenever a personal inspection on the part of the inspector, warden, or overseer, or any official visitor, recognized by the law of the commonwealth, may be required, obviating altogether the existing necessity of exposure, at times not unfrequent, to the most inclement weather. The usual ordinary communication for handing in the food, working materials, &c. now in use is still preserved in the new arrangement of the doorway.

The plan proposed and arranged for warming the cells, by heated air, can only be fully and satisfactorily tested by experience. As yet, no opportunity has offered to effect this, as the work is unfinished—it is believed, however, that it will answer the desired purpose.

In order to supply the prisoners with drinking water, it is found absolutely necessary to resort to the use of the large well in the yard, and the forcing pump worked by horse power. We are compelled to this from the fact that our situation approaches so near to the level of the reservoir at Fair Mount, that we can only obtain the water requisite to carry off and cleanse the pipes of the prisoner's water closet in his cell: the reaction of the contaminated air, after the water is discharged from the pipes, causes that in the cistern to be impregnated more or less with it, and renders it unfit for drinking.

One or two hours' work, daily, with the horse, will supply the tanks placed in the second story of the centre building, with a sufficient quantity of excellent water, for the personal use of all the prisoners.

Your committee will here remark, that notwithstanding the impediments that were experienced during the existence of the cholera, they believe that the amount of work done within the walls the past year has been quite equal to that of any previous year since the commencement; owing, in their opinion, to the knowledge, that the means provided were entirely ample to meet all demands, without the apprehension which has on other occasions existed, that the end of the building season might leave us involved in debt that could not be discharged, until additional appropriations were made by the Legislature. The importance of this consideration, induces your committee forcibly to recommend an earnest and strong appeal to the constituted authorities, for an early appropriation, adequate to the entire completion of the whole plan. According to the estimate of the architect and superintendent submitted herewith, it will require an appropriation of \$120,000, to complete all the buildings.

The following is the amount of work done the last season.

800,000 bricks and 16,000 perches of stone, were laid in the construction of blocks 4, 5 and 6; the former roofed in, plastered and yard walls finished, 5 and 6 carried up to square of second story; cells all arched and covered with substantial well secured temporary board roofing.

250 tons of iron castings, such as door frames, waetr, main, branch and privy pipes, sky lights, ventilators, brackets, &c. fixed in and about the above buildings.

30,000 pounds of iron wrought into hinges, bolts and other smith work.
 11,500 yards of plastering completed in block No. 4, containing 100 cells.
 12,500 yards of earth taken from foundations, culvert, levelling yards, &c. and removed outside the walls.

Independent of the above, a large amount of carpenters, coppersmiths, plumber, and other work has been performed; the estimated value of the whole, including the materials and workmanship, is upwards of \$105,000.

The iron lattice doors for block No. 4, are now in the hands of the smith, and it is believed that the whole number, viz. 150, together with all other work now unfinished, necessary for the entire completion of that block will be done, so that prisoners may be admitted into the cells, as soon as the walls may be deemed sufficiently dry, to place them there without prejudice to their health.

Labourers with horses and carts, are yet employed in removing the redundant earth, and preparing the way for the resumption of the work as early as practicable, the next ensuing season.

JOHN BACON,
 WM. H. HOOD.
Building Committee.

PHILADELPHIA, Dec. 31, 1832.

RECAPITULATION.

Number of prisoners received since commencement,
 October 22, 1829, to December 31, 1832, 142

Of which number there were—

Natives of Pennsylvania	58
New York	13
New Jersey	15
Delaware	12
Maryland	8
Connecticut	3
Virginia	3
North Carolina	1
South Carolina	1
Ohio	1
Tennessee	1
Rhode Island	1
Ireland	12
England	8
France	2
Holland	1
Switzerland	1
Netherlands	1
	<hr/> 142

Their offences as follows—

Horse stealing	36
Burglary	32
Forgery	14
Murder, second degree	8
Manslaughter	8
Robbery	7
Passing counterfeit money	7
Arson	3
Rape	2
Perjury	2
Highway robbery	2
Subornation of perjury	1
Intention to commit rape	1
Assault and battery with intent to kill	1
Unnatural crime	1
Robbing U. S. Mail	1
Larceny	16
	<hr/> 142

Their ages at the time of their reception as follows—

Under 20 years of age	15
From 20 to 30	72
30 " 40	30
40 " 50	15
50 " 60	7
60 " 70	2
70 " 80	1
	<hr/> 142

Of the whole number received, (142,) there have been discharged—

By expiration of sentence	31
Pardoned	5
Died	8
Suicide	1
	<hr/> 45

Leaving in con. January 1, 1833, 97

Of this No. 107 were white males.
 31 col'd. males.
 4 col'd. females.

142

105 on a first conviction.
 16 on a second do.
 11 on a third do.
 6 on a fourth do.
 2 on a fifth do.
 2 on a sixth do.

142

(To be continued.)

From the Philadelphia Gazette.

PROCEEDINGS OF COUNCILS.

Thursday evening, April 18, 1833.

SELECT COUNCIL.—The following communication from the Treasurer of the Girard Trust was received.

Treasurer's Office of the Girard Trusts, }
 April 17th, 1833. *}*

To the President and Members of the Select and Common Councils.

(Continued from page 384.)

No. 1.

The Board of Commissioners to the Executors of Stephen Girard.

Philadelphia, March 16, 1833.

To the Executors of Stephen Girard.

Gentlemen,—The Commissioners of the Girard Estates appointed by Councils are desirous of appropriating the funds already received from the Executors of the late Stephen Girard to the different objects to which they are applicable, and being informed by their Counsel that they cannot apply any of the funds now in their hands to any city purpose until the College fund and the Delaware Avenue fund are permanently made up; they respectfully request information on the following points, viz

First. What legacies in the Will have been paid?

Second. What amount has been expended for the building now in progress on the Chesnut street square?

Third. What amount has been paid on account of the subscription to the Danville and Pottsville Rail Road?

Fourth. What is the estimated amount necessary to be retained by the Executors for the completion of the buildings on the Girard Square, and for the subscription to the Danville and Pottsville Rail Road Stock?

Fifth. What further sums may Councils expect to receive, and about what time?

It is very important the Commissioners should be informed as early as practicable on the above points, as several ordinances are required to be framed and laid before Councils, which cannot be accomplished without the information requested.

Very respectfully, &c.

(Signed)

JOSHUA LIPPINCOTT,
President B. C. Girard Estate.

Attest—MORGAN ASH, Secretary.

No. 2.

The Executors of Stephen Girard to Joshua Lippincott, Esq. President of the Commissioners of the Girard Estates.

Philadelphia, 20th March, 1833.

Sir,—The undersigned Executors of the late Stephen Girard acknowledge the receipt of your letter of the 16th instant, and in reply thereto, submit the following:—

First. They have paid all the Legacies in the Will, amounting to	\$563,500
Second. They have expended on the buildings on the square,	100,600
Third. The amount paid on account of the subscription to Danville and Pottsville Rail Road,	100,000
Fourth. The estimated amount necessary for the completion of the buildings on the square,	500,000
And for subscription to the Rail Road	100,000
	600,000

Fifth. As the Executors have not yet settled with the Trustees of S. Girard's bank, and have other unsettled accounts, it is not in their power to say what further sums Councils may expect to receive from them, nor at what time, though it would give them great pleasure to be able to do so.

Respectfully,
(Signed)

TIMOTHY PAXSON,
THOMAS P. COPE,
JOSEPH ROBERTS,
JOHN A. BARCLAY.

JOSHUA LIPPINCOTT, Esq.

President of the Board of Commissioners of the Girard Estates.

No. 3.

Joshua Lippincott, Esq. to the Executors of Stephen Girard.

Philadelphia, March 23d 1833.

Gentlemen,—The Commissioners of the Girard estates have directed me to acknowledge the receipt of your reply to their communication of the 16th instant, and to observe they expected the Estate under your care had been so far adjusted that you would have been enabled to have informed them of the probable amount (or even the minimum amount) of funds that might have been estimated as the residuary balance of that Estate, the interest of which would be applicable to City purposes.

They also direct me to say, they are very desirous of being placed in possession as early as practicable of a sufficient amount or good securities to enable them to accomplish the two great objects of Mr. Girard, two millions for the College, and half a million for the Improvement of the Delaware front of our City: to accomplish which they are yet largely deficient, as many of the stocks, &c. already received as they are informed by their Counsel, are not suitable or applicable.

The Schuylkill Navigation Stock from the wording of the will they believe not to be so unless there should not be ample funds for all the objects. And they

further desire me respectfully to request information as to the balance of the Bank fund yet remaining in the possession of the Trustees, whether that cannot be speedily adjusted according to the 25th section of Mr. Girard's will, to which I am directed particularly to draw your attention.

Your obedient servant,

(Signed)

JOSHUA LIPPINCOTT.

Thursday, April 25, 1833.

SELECT COUNCIL.—The following communication was received from the Treasurer of the Girard Trust.

To the President and Members of the Select and Common Councils.

*Treasurer's office of the Girard Trust, }
April 25th, 1833.*

Gentlemen,—At a stated meeting of the Commissioners of the Girard Estates on the 20th instant, they ordered by a resolution that the following certificates of Stocks and Loans be and is hereby appropriated (at the Executors valuation) for the building and maintenance of the Girard College for Orphans, agreeable to the 21st Section of the Will of Stephen Girard, viz:

6,331 shares of Stock of the Bank of the United States,	664,715
870,000 dollars of Pennsylvania Loan 5 per cent,	994,418
100,000 dollars City Loan, 5 per cent,	113,500
199,305 dollars Pennsylvanian Loan 5 per cent,	227,367

Dollars 2,000,000

Which is respectfully submitted for your information, by your very ob't serv't.

BRITAIN COOPER,
Treasurer.

The annexed communication from the Commissioners of the Girard Estate with the opinion of Mr. John Sergeant was received and ordered to be printed.

*Office of the Commissioners of the Girard Estates, }
April 20th, 1833.*

At a meeting of the Board held this evening, the following communication from the Counsellor of the Girard Estates, containing an opinion on the points embraced in the resolution of Councils of the 2d February last, was received and a copy thereof directed to be transmitted to councils.

From the minutes,

MORGAN ASH,
Secretary.

"In the paper submitted to the commissioners on the 22d March, it was stated that an opinion had been formed upon the question arising under the will of the late Stephen Girard, Esquire, as to the disposition of the income of the residue of the Estate after setting apart the appropriation of the two millions, and the five hundred thousand dollars specifically bequeathed. It was at the same time intimated that this question, from its magnitude, was deserving of a separate consideration. In compliance with the wishes of the commissioners, I will now proceed to state my opinion and the grounds of it.

The question is very fully and accurately stated in the resolution of councils of the 2d February last as follows:

1st. Whether it is competent to the City Councils to expend the surplus revenue of the Girard Estate, (after appropriating all the income specially devised,) in the improvement of the police,—improvement of the city

property, and in diminution of the taxes in compliance with 24th section of the will of Stephen Girard, or

2d. Whether all the income must be reinvested and accumulated until it is determined what portion of the Estate above the two millions specially devised for that object be necessary to carry into effect the 21st section of the said Will.

Upon the first of these questions, after full and repeated deliberation, I am of opinion, that in the first place, the two millions are to be set apart for the College, and the income of the two millions, except what may be necessary for the purposes of the College, to accumulate and be added to the two millions so as to become part of the capital, of which the income is in like manner to be applied exclusively to the College: That if hereafter a greater amount should be required for the extension and support of the institution, such amount is to be taken from the disposable residue of the estate as the same may be wanted: But that in the mean time, until the exigency shall actually arise, the whole income of the residue is disposable by the City, for the purposes designated in the 24th section of the Will.

The only words in the Will which seem to tend to a different conclusion are contained in the introductory clause of the 24th section which is expressed as follows: "And as it regards the remainder of the said residue of my personal estate, in trust, to invest the same in good securities, and in like manner to invest the interest and income thereof from time to time, so that the whole shall form a permanent fund and to apply the income of the said fund," &c.

The first remark that occurs upon this clause, taken by itself, is, that literally construed, the parts of it are contradictory and irreconcilable. The first part directs a perpetual investment of the income, for there is no limitation of time. The second directs an expenditure of the income. If in the one, there had been a period fixed, during which the accumulation was to continue—or, if in the other there had been a time specified at which the expenditure was to commence, there would have been a point of division, and they might have well stood together. But there is no such point even alluded to.

We are obliged, therefore, to look out of the clause itself, to see whether in any other part of the Will we can discover the means of reconciling the seeming contradiction, that is to say, whether there is any period fixed elsewhere to which the testator may be supposed to have referred. I think there is none. It might occur, upon a hasty perusal of the will, that such a period was to be found in the provisions for the future increase of the College. But they are in this respect equally indefinite—in other words there is no time mentioned, nor intended by the testator after which the augmentation of the College shall cease, or its demands upon the residue be terminated. It is very true, that if at any time hereafter, the necessities of the College should be such as to absorb the whole revenue of the residuary estate, there can be no further accumulation, and in that event a period would be thus ascertained. But supposing this not to have happened, is there a certainty, or can there be a certainty, that it never will happen, so that at any given time the maximum may be considered as reached, and the surplus thus become disposable? Clearly not. There is, then, no limitation, and the fund must go on to accumulate without assignable period, which will have the effect of leaving the same contradiction that we find in the words of the clause itself. This reference, therefore, will not help us: and we are at last driven to the inquiry, whether it is consistent with the intention of the testator plainly manifested in the will, that there should be an indefinite accumulation. This would be equivalent to saying that no part of the income of the Estate is ever to be applied to any use but that of the College.

The general intention of the Will to the contrary is

perfectly clear, and the clauses to effectuate it are so construed and expressed, that the interpretation of indefinite accumulation would be absolutely inconsistent with them. The College, it may be admitted, was the first object of the testator. He has said so in more than one part of the Will. But he had other objects, for which he has also provided, as may be seen from the 24th section of the Will. They are to come in, after the College—but still they are to come in. If it be understood that there was to be an indefinite accumulation for the College, all such clauses are virtually expunged. The will, upon that theory, ought to have contained but one single provision (after the specific legacies) and that should have been, to dedicate the whole residue of the estate to the College.

It may be suggested, perhaps, that there is a discretion somewhere lodged, to decide when the College demands have reached their utmost extent, so as to make the surplus thereafter disposable. But the answer is apparent upon the face of the Will. In the first place there is no such discretion expressly given by the Will. And in the next place it cannot be implied, because it would be contrary to the terms of the Will, which put the matter upon the fact, and not upon any opinion or discretion. If more should be required for the College, more is to be applied. But if there be a discretion, it may be exercised at once, so that if more should be required, still it could not be applied. This suggestion therefore is inadmissible.

There is then but one construction of which the will seems to be susceptible, and that is the natural one. Mr. Girard plainly intended a College to be established upon a basis of two millions of dollars, and no less. He therefore makes an immediate and definite appropriation of two millions for that object, never to be applied to any other. This is the *present* and the absolute endowment, not to be curtailed. That he did not intend any present absolute appropriation of more, must be taken to be plain—for if he had so intended, he would so have expressed himself. He would have said of the residue as he has done of the two millions, that it was to be applied to the College. He has not said so—and an interpretation is scarcely admissible that will have the same effect as if he had given the same directions about both. This remark applies just as strongly to the income as to the principal, for in respect to the two millions, he has finally and absolutely devoted the principal and income. We are thus brought to the conclusion, that as to the income of the residue, its application to the College was to be future and not immediate. Its future application, too, was to be contingent, for it was to depend upon whether the exigencies of the College should hereafter make it necessary. Such exigencies might never occur, and then it would never be required. The requirement being thus future and contingent, the question would present itself to the testator—how is the income to be applied until the contingency happens, or if it never should happen? The answer is given in the Will. It is to be applied to the other objects specified. If there be any single clause in the Will which stands opposed to this construction, it ought to yield, rather than the general scope and intention should be defeated, and important and deliberate provisions be made of no avail.

But I am not sure that the clause about investments, though somewhat inadequately expressed, is to be considered as standing opposed to what appears to be the true construction of the other parts. The design of that clause, it may be observed in general, was not to interfere with a control of the dispositions of the will. It was intended to be subordinate and auxiliary—to aid what was done in other parts of the will, rather than to operate by itself. Thus understood, its purposes would appear to be to signify the wish of the testator, (corresponding with his known character and conduct,) that no part of the funds should remain inactive, but that when they were not actually in the course of use, the in-

come, by whomsoever received, should be invested and made productive. With this interpretation, it will be consistent with the other parts of the will.

2d. The answer to the first question includes also an answer to this.

JOHN SERGEANT.

PHILAD. April 17, 1833.

Mr. Groves presented the annexed petition which was referred to the Committee on Mr. Gevelot's petition.
To the Select and Common Councils of the city of Philadelphia.

Gentlemen,—We, the undersigned citizens of Philadelphia, have examined a model of a Statue of the late Stephen Girard, executed by Mr. N. Gevelot, and take pleasure in testifying to the exact and striking likeness which it presents of this great benefactor of our city. If your honorable bodies should authorise a Marble Statue from the above mentioned model, it would be a proper testimonial of the grateful sense of our city of his private and public services: we do therefore respectfully recommend an appropriation of the funds for that object.

Mr. J. P. WETHERILL called up for consideration the resolution offered by Mr. Merrick on the 11th of April, which was agreed to and the resolution was adopted.

COMMON COUNCIL.—The following communication from the Trustees of the Girard College, with the accompanying documents were received.

PHILADELPHIA, April 25, 1833.

To the Select and Common Councils of the City of Philadelphia:

Gentlemen:—In compliance with the instruction of the Joint Committee of the Select and Common Councils and of the Trustees of the Girard College for Orphans, I have the honor of submitting to you a copy of a resolution, passed at their meeting this day, together with the report of the sub-committee and plans adopted by them, the estimate of the architect, and the resolution passed at a meeting of the Board of Trustees of the Girard College for Orphans, on the 24th inst. I have the honor to be,

Very respectfully, Yours,
N. BIDDLE.

At a meeting of the Joint Committee of the Select and Common Councils and of the Trustees of the Girard College for Orphans, held on Thursday, the 25th of April, 1833, in Independence Hall, the sub-committee appointed on the 5th inst. made a report, accompanied by a plan of the buildings for the Girard College, with an estimate of the cost of the same by the architect, and a resolution of the Board of Trustees of the Girard College, passed on the 24th instant.

Whereupon, on motion of Mr. Dunlap, it was resolved, That the report of the sub-committee, and the plans submitted by them, be approved, and that the chairman of this meeting transmit to the Select and Common Councils the said report and plans, together with the estimate of the architect and the said resolution of the Board of Trustees.

Extracted from the minutes.

THOS. McEWEN,

Secretary of Joint Committee.

The sub-committee appointed on the 5th inst. to submit a plan of the buildings for the Girard College for Orphans, respectfully report :

That after careful examination of all the plans hitherto presented to the Councils, with frequent interviews with the architect selected by them, and a personal inspection of the localities, they have unanimously agreed upon a plan which they recommend as combining the requisite degree of convenience, economy, and taste. The details of these several designs, with the estimates of the expense of executing them, are now presented to the Building Committee, in obedience to

whose instructions the sub-committee proceed briefly to state the grounds of their selection.

The true position for the buildings they believe to be a square or parallelogram, beginning at the distance of 490 feet from the south east corner of the lot and the Ridge Road, and 30 feet west from the line of Schuylkill Third street, and extending thence westward 653 feet, and north 320 feet. This position affords the advantages of an easy access from the Ridge Road and from Third street, an ample and commodious approach to the buildings, and the necessary retirement for the quiet prosecution of the studies of the orphans. It is also sufficiently to the east of the line of the Penitentiary to prevent the College from being masked by that large building, and it preserves the remainder of the ground entire for the purposes of instruction in farming and gardening, which will probably form valuable parts of the education of the orphan. The form of a parallelogram, running due east and west and north and south, resembling the squares of the city, is chosen from its conformity with the original design of Mr. Girard, as well as from its convenience in grouping the several buildings and its adaptation to the general plan of the division of the city, while by placing the buildings themselves due east and west, the further advantage is obtained of enabling the Councils to raise, in the progress of the work, an observatory from one of the proposed buildings.

On the parallelogram thus described, the committee propose to erect the College and out-buildings.

The direction of Mr. Girard's Will is, that there shall be erected "a permanent College, with suitable out-buildings, sufficiently spacious for the residence and accommodation of at least three hundred scholars and the requisite teachers," and that these outbuildings "shall be at least four in number, and detached from the main edifice and from each other, and in such positions as shall at once answer the purposes of the institution, and be consistent with the symmetry of the whole establishment."

It is obvious to the Committee that the design of Mr. Girard was, that this permanent College should be appropriated exclusively to the prosecution of the studies of the orphans, and the general administration of the Institution, and that the out-buildings were to be the residences of the pupils and their guardians and teachers. This inference may be readily collected from the general character of the provisions of his will, and seems inevitable from the structure which he has himself prescribed. Thus he directs that the whole of the building above ground shall be divided into twelve rooms, four on each floor. The first and second floor thereof, will have only eight rooms of fifty feet square. Now when it is considered that these rooms are to be the places of study and recitation of certainly three hundred, and probably a thousand, or even a greater number of boys, who must be divided into classes according to the nature of their studies, or the degree of their proficiency in them, it is not unreasonable to presume that the demands for these purposes, will occupy at least the whole of these two stories—more especially as Mr. Girard enumerates among the wants of the College—a library—a collection of mathematical and philosophical apparatus; which imply the necessary convenience for lecture rooms, and directs further—that in one of these rooms his own books and papers should be preserved. After these requisitions for space in the building are satisfied, there would remain only the four square rooms of fifty feet each in the third story, lying immediately under a flat roof which is to form the ceiling of them. Such a position would in our climate, particularly in the summer season, be entirely unfit, as well from considerations of health as of convenience, for the residence of a numerous body of children. The sub-committee have therefore a very decided conviction that Mr. Girard, looking forward to the wants of a very large, and very numerous body of pupils, designed this principal

building exclusively as the scene of their studies and recitations and exhibitions. Under this impression, the Committee have prepared a plan in conformity to the instructions of the Will—containing the basement—the three stories subdivided into four rooms—the entries—the walls, with all the details as prescribed by Mr. Girard. They have confined the building to the dimensions required by him, because as he directed that the whole space of these several floors should be occupied by the four rooms, no space would have been gained for any useful purpose by the enlargement, inasmuch as the consequence would have been only to increase the size of the four rooms. But although no benefit would have resulted from giving a greater width to the building itself, yet there seemed to be an obvious propriety in making some addition to the front.

In the endeavor to conform strictly to the Will of Mr. Girard, prescribing the erection of three stories, with the elevation of each, the building becomes, necessarily, very high; and if the front were of the dimensions which he fixes as the least width, the building would exhibit an awkward and ungraceful appearance. As, for the reason already given, there would be no advantage in enlarging the interior of the building, the remedy for this disproportion, must be found in widening the exterior, and the easiest and simplest mode of effecting this, is, to make a portico in front of the building. Such a style of finishing the front, seems, under any circumstances, to be recommended by the general architecture of the building, as well as by correct taste, and the common usage in regard to such buildings, with which Mr. Girard was familiar, in the city of his residence.—His recommendation, to “avoid useless ornament,” but to “consult utility and good taste,” a recommendation in which the Committee wholly concur, as being entirely in harmony with the simple habits and good sense of Mr. Girard, devolves on the Committee the choice of such a front to the building as would be at once solid and chaste. For this purpose, they think, that no better model could be proposed, than that adopted in Mr. Girard’s own banking house, which he had but recently before his death, renewed and embellished, and they have accordingly selected one in the same style, though not so costly in proportion as the front of his bank.

In regard to the upper part of the building, the committee have met with a difficulty which they have found it necessary to obviate.

The directions of the Will are, that the walls of the third story should be of the thickness of two feet; it further directs that the roof shall be as nearly horizontal as may be, and that “the floors and landings, as well as the roof, shall be covered with marble slabs, securely laid in mortar slabs on the roof to be twice as thick as those on the floor.” The committee are impressed with strong doubts, whether the walls thus prescribed, would be capable of resisting the lateral pressure of arches of such extraordinary dimensions, pressed down by the whole weight of a marble roof, occupying a space of more than 20,000 square feet, which it will probably be necessary to cover with copper; and they think, that it would be highly expedient not to trust exclusively to such walls, but either greatly to increase the width of the walls themselves, over the whole building, or to provide some additional support from the outside. They prefer the latter alternative to so great a departure from the dimensions prescribed by Mr. Girard; and they have endeavored to convert the necessity for further support, to a purpose at once useful and ornamental, by extending the columns of the portico around the flank of the building, so as to relieve the walls of a part of the pressure, and render the whole building perfectly secure. Owing to the height of the building, the columns could not, with propriety, be of the Doric order, because they would have required a diameter at the base of ten feet, which would have been so massive as to darken the rooms, and have been attended with

an expense, which the committee could not recommend. They have therefore preferred the Corinthian order, as requiring less width in proportion to their height—as being far less expensive, and as affording, by the wide intervals between the columns, the means of furnishing more light. The disposition of the windows in the plan proposed, will admit an abundant supply of light, more, in fact, than could have been obtained by any number of windows which could have been made in the flanks without the colonade, consistent with any degree of architectural beauty. The plan is accordingly so presented. The building thus recommended, furnishes a plan, of which the interior is in strict conformity with the provisions of the Will of Mr. Girard, and in relation to the exterior, about which he gave no precise directions, but left it to the judgment of the councils, the committee have endeavored to combine utility and good taste, by proposing a front resembling that of his own banking house, and a flanking colonade, which is recommended by the solidity which it will add to the walls, and the beauty which it imparts to the whole structure. The committee indeed reflect with great satisfaction, that the munificent design of the founder of the college, can be rigidly carried into effect, in a structure, which will remain a lasting monument of his fame, as well as a model of architectural beauty. The additional expense too, by which this object may be obtained, is comparatively small in amount, and the whole establishment may, in all probability, be finished with much less encroachment on the capital of the College Fund, than even Mr. Girard himself anticipated. His intention was, that after defraying the expense of building the college, the income of what remained of the principal, should be applied to the purposes of instruction. Now, from the time which must necessarily elapse before the buildings are completed, according to his own plan, and the gradual progress of the work, it may be calculated that the annual income of the fund, which exceeds \$102,000, will be nearly, if not quite sufficient to erect the proposed buildings, without diminishing the means of instruction, and without any, or if any a comparatively small encroachment on the capital.

It is believed moreover that our fellow citizens generally would be gratified, if in the erection of this building, the councils would endeavour to combine with its useful objects, such a structure, as would be at the same time worthy of Mr. Girard’s name, and an ornament to the city in which he acquired the wealth he has bequeathed to it. That object, can be accomplished only at the present moment, for should it hereafter be thought that we have not done all that was due to the memory of Mr. Girard, and to the character of the city, the error will be irreparable, and will leave only unavailing regrets to our successors.

The plans of the four out-buildings require little explanation. They are four in number agreeable to the will, and they are calculated for the residence of the necessary professors and assistants, and at least three hundred pupils a capacity of being enlarged and increased in proportion to the future wants of the College.

All which is respectfully submitted.

N. BIDDLE, Chairman.

Philad. April 25, 1833.

Nicholas Biddle, Esquire.

DEAR SIR:—In compliance with the request of the committee for preparing plans for the Girard College, I have estimated the cost of executing the design submitted to them by the sub-committee, and find the expense of erecting the College, will be 700,000 dollars, the out building, as represented by the drawings, will cost 200,000 dollars, making the whole expense 900,000 dollars.

I am of opinion, that it will require six years to

complete the work, according to the designs above referred to,

I am, dear sir,

With great respect,

Your Obedient Servant,

THOMAS U. WAITER.

Architect Girard College.

Philad. April 24th, 1833.

At a special meeting of the Board of Trustees of the Girard College, held in the Hall of Independence on Wednesday, the 24th April, 1833, it was,

Resolved, That the plan of the Girard College, reported by the joint committee, and now exhibited to this board and which this Board has had the opportunity of examining, be earnestly recommended to the Select and Common Councils, for their ratification.

From the minutes:

JAMES BAYARD, Secretary.

Mr. S. Wetherill as Chairman of the committee, made the following report, with the documents and resolution which were adopted.

The committee to whom was referred the communication of the City Commissioners, relative to the supply of oil, Report.

That by the communication annexed it will be perceived that twenty five thousand gallons of oil will be required to supply the public lamps, the ensuing year. The stock being now nearly expended your committee append two resolutions, one for the immediate supply and the other providing for contracts for the remainder.

The consumption of oil for the last year was under twenty thousand gallons, and your committee deemed it their duty to inquire into the cause of the increased demand.

It appears in part to arise from the circumstance that during a great part of the year from motives of economy, less oil was served out to the watchmen than was required to keep the lamps well supplied, that on complaints being made the quantity was towards the close of the year increased by the captain of the watch, and his successor continues this increased supply. Your committee deem this course judicious, because the safety of the citizens require that a good light should be kept during the whole night.

The most material cause however, is the unprecedented increase of public lamps, which they learn took place mainly near the close of the year, and in parts of the city where no material increase was required.

There were erected during the past year two hundred and forty new lamps, eighty of which were argand reflectors, each consuming four times as much oil as the common lamps.

The additional consumption of oil from this course, equals the consumption of four hundred and eighty common lamps.

The evil most complained of is the undue increase of the argand reflecting lamps. They are the most extravagant lamps that could be well devised, the expense of which must be borne by all, while the partial distribution of them among the few who can afford to erect them, can be defended upon no principle of justice.

The cost of these lamps is not only the extra expense of oil, but six dollars per annum is paid to the watchmen for the care of each. The whole number now in use is one hundred and thirty-one, and the expense to the city for oil and attendance over the expense to the same number of common lamps, is upwards of thirty seven hundred dollars.

The application to the City Commissioners for leave to erect these lamps are numerous, but are all refused by the present board, until they receive instructions

from Councils. All which is respectfully submitted.
CITY COMMISSIONER'S OFFICE,
March 21st, 1833. }

Saml. P. Wetherill,

Sir,—The City Commissioners respectfully state to the Committee of Councils on the purchase of Oil that they are of opinion that twenty five thousand gallons of oil will be required for the use of the city for one year. Of this quantity four thousand seven hundred and sixteen gallons will be required for one hundred and thirty one argand lamps, estimating that each of these lamps consumes thirty six gallons per annum.

They enclose for the information of the Committee, statements furnished by the Captain of the City Watch of the quantity of oil issued since the 1st of January.

Respectfully submitted,

By order of the City Commissioners,
ROBERT H. SMITH, City Clerk.

PHILADELPHIA, March 19, 1833.

To the Committee of Councils appointed to furnish the City with Oil.

Gentlemen,—Having been requested by the City Clerk to furnish you a statement of the quantity of oil consumed during the last month, I hasten to perform that duty.

Respectfully, your obedient serv't.

ROBERT R. BELL, C. C. W.

Feb. 9.	Galls. 655 3		
15.	655 2		
21.	655 2		
Mar. 7.	656 0		

	Galls.	Qts.
	2621	7
High st. Market during the same period,	58	3
Steeple on Independence Hall,	11	0
Independence Square,	33	2
E. Kenney, for six argand lamps,	23	0
New Market South Second street,	24	0
Western Watch House,	10	0

Galls. 2782 0

In the above statement is concluded the whole of the oil that is consumed in the common lamps and the argand also. The quantity that is drawn each time for them, bear this proportion; the common draw one quart, and the argand draw one gallon, all which is respectfully submitted.

ROBERT R. BELL, C. C. W.

1833.		
Jan'y. 8.	638 2	
15.	651 3	
21.	643 1	
26.	652 1	
Feb'y. 9.	655 3	
15.	655 2	
21.	655 2	
Mar. 7.	656 0	
15.	656 3	
21.	655 3	
	6520 0	

High street Market,	141	
Steeple Ind. Hall,	44	
Ind. Square,	75	
E. Kenney,	48	
New Market,	33	
Western House,	15	
	355 0	

Galls. 6876 0

The above is the quantity of oil drawn from the commencement of the present year—argand lamps draw one gallon, the common one quart.

Respectfully, your obt. serv't.

ROBT. R. BELL, C. C. W.

(To be continued.)

HAZARD'S

REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

VOL. XI.—NO. 26.

PHILADELPHIA, JUNE 29, 1833.

NO. 287.

REPORT ON PRISONS.

(Concluded from page 387.)

[C.]

A Statement of the Criminal Business of the Court of Quarter Sessions for the County of Philadelphia for 1831—1832.

1831.

1832.

OFFENCES.	Number of bills.						Number of bills.					
		True bills.	Ignoramus.	Convicted.	Acquitted.	Not tried.		True bills.	Ignoramus.	Convicted.	Acquitted.	Not tried.
Assault and battery,	227	153	74	61	32	60	226	139	87	60	32	47
to kill,	3	3		1	1	1	3	3		2	1	
Blasphemy,	1	1		1								
Conspiracy,	1	1		1			1	1		1		
Forcible entry,							1	1			1	
Forgery and uttering forged notes,	4	4		3		1	5	3	2	2	1	
Fraudulent insolvency,	2	2			2		4	4			1	3
Larceny,	203	175	28	133	31	11	138	114	24	79	22	13
Libel,	1		1				2	2		1		1
Malicious mischief,	1	1			1							
Masquerade,	1		1									
Misdemeanor not otherwise enumerated,	21	20	1	6	4	10	35	31	4	7	7	17
Perjury,	1	1				1						
Rescue,	1	1				1						
Receiving stolen goods,							7	7		5	1	1
Riot,	5	5			1	4	17	15	2	4	3	8
Tippling house,	90	88	2	21	4	63	97	63	34	35	7	21
Total,	362	455	107	227	76	152	536	383	153	196	76	111

A Statement of the Criminal Business of the Court of Oyer and Terminer for the city and county of Philadelphia for 1831—1832.

1831.

1832. *

OFFENCES.	Number of bills.						Number of bills.					
		True bills.	Ignoramus.	Convicted.	Acquitted.	Not tried.		True bills.	Ignoramus.	Convicted.	Acquitted.	Not tried.
Arson,	6	3	3		3							
Assault to kill,	1		1				1		1			
to ravish,	1		1									
Bigamy,	2		2									
Burglary,	10	8	2	6	2		1	1		1		
Concealing death of bastard children,	1	1		1			3	2	1	1	1	
Manslaughter,	7	5	2	3	2		3	1	2	1		
Misdemeanor,	2	2			1		1	1		1		
Murder,	9	7	2		3	4						
Robbery,							5	1	4	1		
Total,	39	26	13	10	11	5	14	6	8	5	1	0

* There was only one Court of Oyer and Terminer held in 1832.

A Statement of the Criminal Business of the Mayor's Court for the city of Philadelphia for the years one thousand eight hundred and thirty-one, (1831,) and one thousand eight hundred and thirty-two, (1832.)

1831.

1832.

OFFENCES.	1831.						1832.					
	No. of bills.	True bills.	Ignoramus.	Convicted.	Acquitted.	Not tried.	No. of bills.	True bills.	Ignoramus.	Convicted.	Acquitted.	Not tried.
Adultery,	5	4	1		2	2						
Assault and battery,	163	128	35	46	38	44	127	96	31	49	22	25
Assault and battery, to kill,	2	2		2			2	2				2
Assault and battery, to commit a rape,	1	1			1		1	1		1		
Bigamy,	1	1			1		1	1			1	
Bribery,							5	5				5
Bawdy and disorderly house,	3	3		1	1	1	1	1				1
Conspiracy,	8	8		1	4	3	2	2			1	1
Disorderly house,	3	3		1		2	8	7	1	1	2	4
Forcible entry,	1		1				1	1				1
Forgery and uttering forged notes, &c.	13	13		5	1	7	12	12		4	4	4
Fornication and bastardy,	7	7		1	1	5	10	10		2	2	6
Gaming,	6	6		1		5	2	2				2
Larceny,	186	163	23	112	31	20	167	146	21	97	26	23
Libel,	2	2				2						
Misdemeanors not otherwise described,	12	12		2	5	5	10	9	1	2	1	6
Nuisance,	4	4			1	3	3	3				3
Perjury,	4	2	2		1	1	2	2			1	1
Riot, &c.	13	10	3	5		5	8	6	2	2	2	2
Receiving stolen goods,	1	1				1						
Tippling house,	100	85	15	46	3	36	2	2		1		1
Attempt to poison,							1	1			1	
Indecency,	2	2		1		1						
Incestuous marriage,							1	1				1
Total,	537	457	80	224	90	143	366	310	56	159	63	88

A Statement of the Criminal Business of the Circuit Court of the United States, holden at Philadelphia, in and for the District of Pennsylvania, in the third Circuit for 1831—1832.

1831.

1832.

OFFENCES.	1831.					1832.					REMARKS.
	Number of bills.	True bills.	Ignoramus.	Convicted.	Not tried.	Number of bills.	True bills.	Ignoramus.	Convicted.	Not tried.	
Forgery and uttering forged notes, &c.	10	9	1	2	2	5	20	20	1	2	Recog. of defendant forfeited. do. do.
Resisting a Custom House officer,	1	1			1						
Assault with a dangerous weapon,						2	2			2	
Total,	11	10	1	2	2	6	22	22	1	2	19

NOTE.

Since the preceding report was presented, on the first of January, several interesting events have occurred, which have been submitted to the notice of the Society at their meetings, in the usual manner. As these will be published in the next annual report, it is not necessary to mention them in detail—but a brief notice of a few of the more important facts may not be uninteresting, and is therefore appended to the report.

1. The Legislature of Pennsylvania have made during the present spring an appropriation of \$130,000 for the purpose of completing the Eastern Penitentiary, which building is now in rapid progress.

2. An Act has been passed, authorizing the demolition of the cells within the walls of the Western Peniten-

tiary, and the construction of cells similar to those in the Eastern Penitentiary, in which the same system of prison discipline is to be established—\$60,000 have been appropriated for this purpose.

3. An act has been passed, authorizing the commissioners for the erection of the prison for the city and county of Philadelphia, to borrow an additional sum of \$70,000 for the purpose of completing the prison, and pledging the building now known as the Arch Street Prison as a security for the loan of the preceding sum. This prison will therefore be superseded and sold, and the system of separate confinement be effectually introduced in the new establishment, as provided by the Act of 30th March, 1831.

4. An Act has also been passed during the same session, authorizing the erection of a prison for the county

of Allegheny, providing therein for the establishment of the same system. It is therefore a subject of congratulation, that the efforts of the friends of this system have been so far successful that all those great prisons in which 14-17th of the persons confined in the state of Pennsylvania are now, or rather soon will be when the buildings shall be completed, conducted according to the system which the Society has advocated from their origin to the present time.

5. A number of influential citizens of Chester county have been engaged in making arrangements preparatory to the erection of a county prison at West Chester according to the same system, and a plan of the building has been given by Mr. Walter, the architect of the Philadelphia county prison.

6. An act has been passed at the session of 1832—3 of the Legislature of the state of New Jersey, authorizing the demolition of their present defective prison, and the erection of another near Trenton, "on the principle of separate confinement, with labour, &c. as practiced at the Eastern State Penitentiary of Pennsylvania," and the works are in rapid progress, under the superintendence of the distinguished architect, John Haviland, Esq. to whom our country is indebted for the plan and execution of the justly celebrated penitentiary of the eastern district of Pennsylvania. Several improvements have been introduced by Mr. H. in the new edifice. The inspectors of the Western Penitentiary of Pennsylvania have also availed themselves of the valuable experience of this gentleman, by conferring on him the office of architect, and he is now engaged in superintending the erection of the new buildings in that establishment.

From the Lancaster Journal.

BOLTON vs. COLDER AND WILSON.

This was an action of trespass on the case, against the defendants as the proprietors of the Reading and Harrisburg Stage Coach, tried before Mr. Justice Rogers, (see page 276) at a Circuit Court for Dauphin County, the 16th April, 1833. The plaintiff called Henry Schantz, who testified as follows:

I was a passenger in the stage, 4th February, 1832. Stopped at Kuhn's tavern, Bolton was before us, coming to Harrisburgh; the stage overtook Bolton, he turned out to the left hand coming up; Bolton was riding in a dearborn wagon; Philip Ressel, the driver, drove against Bolton's wagon and upset it; he drove on about a quarter of a mile without stopping. We then got out of the stage; we told him to stop, that the man could not get out, he was lying in the wagon.—Nagle, Dubbs, and Karch went back; we took him out, righted his wagon and then put him in again. Dubbs got in with Bolton and drove the wagon to Harrisburgh. Bolton could not rise or help himself; appeared to suffer much pain; complained that his leg was broken. I was looking out of the stage and saw all; Bolton had turned out as far as he could without upsetting himself, more than half the road, almost the whole road; Philip did not turn out at all; he struck the wheel of Bolton; the stage could have passed easily to the right. It was raining and snowing. I was looking out of the window of the stage; the hind wheel of the stage struck the wagon and turned it over, there was room enough for two stages to pass to the right of Bolton's wagon,—Philip kept straight on without turning to either side; he drove the whole way at a pretty fast trot. It was on the turnpike from Harrisburgh to Lebanon, about three miles from Harrisburgh. When I looked out, Bolton was about four or five yards before the stage; Nagle and I looked out at the same time; stage not open before, the curtains were all down; three seats in the stage; I sat on the hind seat, Bolton's wagon was covered, don't know whether opened or closed behind; don't know that the stage horses were frightened; I can't

say whether I went down the hill or up after we left the stage to go back. We all told the driver to stop; when I first saw Bolton he was on the left side of the road, the stage struck the hind wheel of Bolton's wagon.

We told Philip more than once to stop; cannot say whether he heard us, there was snow enough on the ground to mark the track of the stage and wagon, I looked at the tracks when we went back, we discovered that Bolton's wagon had turned out to the left and that the stage had not, we went back four or five steps to see; from the tracks of Bolton's wagon we could see he was turning to the left all the while; we looked out of the stage on the side next to Bolton; Bolton could not have got up without assistance—it happened in the evening.

Doctor T. Dean proved as follows:

I was called to see Mr. Bolton about the 3d or 4th of February. I found him sitting in his wagon—had not been removed—complained of very severe pains; directed him to be removed up stairs at Henzey's; found difficulty in getting him out of the wagon; found a fracture of the neck of the thigh bone; considered a difficult case, he was considerably bruised and complained of pain in the back, continued to visit him until 1st March following, I then ceased to make entries in my book; the bones were replaced, the apparatus had to be removed owing to severe pains he complained of in the leg and back; severe constitutional diseases followed, high fever, pain in the head and inflammation of the kidneys, he had been subject to a chronic disease of the kidneys before. It has been a question whether a fracture in that part will ever unite, settled that it may, (he is now lame, and I think it probable he may continue a cripple through life) [this testimony objected to by the defendants' counsel—admitted and point reserved.] He will be subject to pain from change of weather, this is the case in all fractures; it was necessary to administer large doses of opium to allay the pain. Mr. Bolton was a very impatient man; I have an indistinct recollection of his discharging bloody urine. I think sixty dollars a moderate compensation for my services; he was a troublesome patient, sent for me often when not necessary, and often in the night time.

It is my opinion that the fracture of his bone may unite; I think in this case it has united; lameness is not a necessary consequence of a fracture of this kind. I have not seen Mr. Bolton since I ceased to attend him; I observe that he halts a little in his gait at present.—[The court adjourned in the evening—next morning Doctor Dean was called again, and said] I have made an examination of Mr. Bolton's leg this morning and find it shortened by accurate measurement three-fourths of an inch, the calf of the leg appears more swollen than the sound one.

The plaintiff then gave further evidence of the facts and closed.

The defendants then called Philip Ressel, the driver, who testified as follows:—

I was the driver of the stage on that day from Hummelstown to Harrisburgh; I stopped at Kuhn's to water; Bolton drove by; I then started and come up with him; when I came within 30 or 40 yards of him he looked back, he then kept on, and I went on at regular gait, until I got within 15 or 20 yards of him, he then looked back a second time, gave his horse the whip and run him the canter, still in the middle of the road, I turned out to the left, thought to pass him on the left and let him have the middle of the road, when I got up forment his wagon he turned out of the middle of the road to the left side to prevent me from passing, I was then obliged to pull the front horses' reins so as to turn them to the right, to pass him to the right, the hind wheel being in a rut slid along and caught the tire of the hind wheel of the wagon and turned it over; the wagon turning over frightened my horses and I could not check them until

I got to the face of the hill, and was then obliged to go on to the top of the hill before I could stop. It happened at the foot of a hill. I then stopped and told the passengers to go back and see whether the man was hurt; such an accident had never happened before;—they went back, took him out of the wagon and set it up; I could have passed to the left of Mr. Bolton without any injury if he had not turned in on me; the front wheels of the stage passed free of the wagon, may be 2 feet, just before the stage struck the wagon his horse made a kind of a halt; it was 200 or 250 yards from the place where the wagon was upset to where I stopped the stage. I could not stop the horses on the hill with safety to the passengers. I did not hear the passengers call to me to stop.

I was employed by Colder & Wilson. I generally carry a horn; Bolton was in the middle of the road, there was as much room on the one side as on the other; when I found he was passing to the left I bore up my horses as soon as I could, when I came to town I told Mr. Colder of the accident; he told me I ought to go and see Bolton. I did not go—the passengers told me the same evening they thought his leg was broke: I told the manner it happened to Mr. Buffington the same evening.

The defendants gave also some evidence of a special custom to regulate the passing of carriages on turnpike roads, &c. when his honor summed up the evidence in pointed terms in favor of the plaintiff, and the jury found for the plaintiff \$1,200 damages. On appeal to the Supreme Court in Bank, the cause was argued for the plaintiff by Fisher and Krouse, and for the defendants by Weidman and Norris.

Chief Justice Gibson delivered the opinion of the Court—

Among the reasons assigned for a new trial, there is but one which deserves to be noticed; and there is so little even in it, that were it not necessary to correct an apparent misapprehension on the subject of it, and in a matter of very general concern, it would not be made a subject of remark. The movement of carriages passing on our turnpike roads in opposite directions, is regulated by especial enactments; but there is no positive law to regulate the passing of those who are travelling in the same direction. The defendants give evidence of its being a custom in the latter case, for the leading carriage to incline to the right, the other making a transit at the same time by the left; whence it was attempted to be shown that the injury suffered by the plaintiff had been occasioned by his own neglect of this custom which was said to have acquired the consistency of a law, but which was very properly exploded by the court. Nothing should be more pertinaciously resisted than these attempts to transfer the functions of the Judge from the bench to the witnesses' stand, by evidence of customs in derogation of the general law, that would involve the responsibilities of the parties in rules, whose existence, perhaps, they had no reason to suspect before they came to be applied to their rights. If the existence of a law be so obscure as to be known to the constitutional expositors of it, only through the evidence of witnesses, it is no extravagant assumption to take for granted that the party to be affected was ignorant of it all the time when the knowledge of it would have been most material to him; and to try a man's actions by a rule with which he had not an opportunity to become acquainted before hand, is the very worst species of tyranny. The probability of actual ignorance in respect to this particular custom, is greater than in respect to almost any other that can be imagined, as the traveller might reasonably suppose the whole law of the road to be comprised in the statutory admonition that meets the eye at every gate and bridge. The use of parol proof has been, to say the least, sufficiently extended by suffering it to control the private written laws which individuals establish between themselves for the regulation of their rights and particular transactions, without suf-

fering it to control the general law of the land. The judge, therefore, did a valuable service to the stability of the law, by freeing the cause from a matter so entirely foreign to it. It remains therefore to be seen whether the rule laid down by him, is founded in the principles of justice and reason. It was not pretended that the mail coaches are entitled to precedence, or the enjoyment of any particular privileges. They are indeed protected by an act of Congress from being willfully and wantonly obstructed or delayed; but in every other respect they are on a footing with all other carriages; and it is right perhaps that it should be so. Experience proves that the drivers of them are not the most eligible depositories of power, and there are few who have not to do with them either as passengers or travellers. The public consequently has an important interest in having them, in common with the drivers of other carriages, held strictly to the measure of their rights: and this can be done only by making their employers sureties for their good conduct, as far as the law permits, and liable for their acts. They are seldom of sufficient estate to respond in damages to any considerable extent; and to treat them as exclusively liable, would in most instances be a denial of redress. With these considerations in view, the judge stated the law to be, that a traveller may use the middle or either side of the road at his pleasure and without being bound to turn aside for another travelling in the same direction, provided there be convenient room to pass on the one hand or on the other. And why should it be otherwise? The law to regulate the deflection of those who are travelling in opposite directions, was designed for the specific case mentioned in it, the object being to avoid, by a preconceived movement, the collision which might otherwise ensue from the mutual misapprehension of intention frequently observable between foot passengers. But this uncertainty is productive of no collision between carriages travelling in the same direction, and the principle of the enactment is therefore not to be extended to it. It is certainly but reasonable that the traveller to be accommodated should be at the pains to give his carriage the proper direction to enable him to profit by his superior speed; and if there be convenient room to pass on any particular part of the road, he ought not to complain. If there be not, it is doubtless the duty of the other to afford it, on request made, by yielding him an equal share of the road, if that be adequate and practicable; if not, the object must be deferred until the parties arrive at ground more favorable to its accomplishment. Should the leading traveller refuse to comply, he would be answerable for it. But to effect the passage by a forcible collision with him is not to be justified, redress being demandable only by due course of law. Conformably to this, it was impossible to doubt that the injury entitled the plaintiff to his action; and as it clearly appeared to have been the effect of negligence, the verdict was properly rendered for such damages as will probably induce the proprietors of mail coaches, to take care that their drivers be more attentive to the rights of others, for the future.

Judgment affirmed.

REPORT OF THE LADIES' BRANCH OF THE UNION BENEVOLENT ASSOCIATION.

Quarterly Report of the Ladies' Branch, U. B. A.
April 16th, 1833.

The following Summary of Reports from the several Districts, is presented by the Board of Managers of the Ladies' Branch of the U. B. Association, as their report for the last quarter.

First District. (City proper.)

Three hundred and seventy-three visits are reported as having been made. Nine families have removed from the District, and 23 new ones have come under the care of the Visitors. Twenty-three families have received assistance which has been obtained from

various charitable societies, with the exception of \$8 of the U. B. fund which has been expended. One woman has been sent to the Alms House, and her child to the Asylum. The report says, "a great part of the suffering we witness is caused by intemperance," and after enumerating several shocking examples, continues—"It is astonishing, but such is the fact, that characters of this description receive the most aid. This has been verified within a few weeks; but the bestowers of the mis-applied charity we were not able to discover.—Until all giving proceeds from those who have the necessitous poor under their own eye, and see industry rewarded while vice also meets its reward, our object will remain, in a great measure, unaccomplished." Occasionally an instance of reformation cheers the visitors in their labours and encourages them to persevere. One committee says of the head of a family formerly addicted to intemperance, "it is with pleasure we are able to say his conduct continues to be satisfactory." A fourth of the families under care have changed their residence in the past year. The constant removals among this class of people oppose a strong barrier to our efforts. This is the case, we believe, in all the Districts; but it has, in a measure, been obviated by our giving information of the characters of persons removing to the visitors into whose section they have gone. One man of intemperate habits, who formerly supported his family by begging, says that the U. B. Association has ruined him.

Second District.

The visitors have been much engaged in attending to the sick. Aid has been received from charitable societies, \$2 of the fund of our association expended, and \$5 loaned. 1 boy has been placed at a public school, and 2 children at Infants' school.

Third District.

Two children have been put to service, 4 sent to infants' school, 17 to other schools. Several have been persuaded to go to Sunday Schools. Among these was a lad 18 years of age, blind and entirely uneducated. He was with difficulty induced to join a Bible class, which he now attends regularly and with great apparent interest. His teacher evinces great sympathy for his affliction, and endeavours faithfully to give him, in an oral manner, that instruction which he would otherwise have no means of acquiring.

Aid has been obtained from the Guardians of the poor, from several charitable societies, and a collection taken up in Dr. Meyer's church, at the suggestion of the German society, to assist some poor emigrants taken off a wreck. \$10 U. B. money expended. Loans, of from 50 cts. to \$10, have, in many instances, been made, and several have been returned with thanks. The February report mentions that two intemperate females, who worked hard and drank whiskey alternately, but could never give a cent for the Fuel Saving Fund, were then suffering the consequences of such conduct; and the Committee were of opinion that they should be left, for a time, unaided, as they had been faithfully visited and warned of their fate. Another case is related where the timely interference of the visitors, aided by the prompt and kind efforts of Mr. Snyder, saved a poor woman from a law-suit, which the injudicious counsel of a friend had induced her to commence. She would probably have lost more than the value of the property in dispute, the restitution of which they obtained peaceably. One family has already commenced depositing for fuel. Two have been prevailed on to attend places of worship, and one woman to close her shop on the Sabbath.

Fourth District.

Sixty-six females are reported as having been visited, three children have been placed at Infants' school, two children at service, one of them in the country with a farmer. A situation has been obtained for a woman. The March report says, "two women have commenced

placing very small sums of money in the hands of the visitors. We may expect quite an increase to our list of depositors when the weather becomes milder and their wants fewer; for they seem generally to like the plan after having felt its benefits." The relief extended in this District has usually been obtained through the means of existing charitable societies, or from private individuals—but \$1 has been taken from the fund of our Association. The last monthly report says, "we cannot flatter ourselves that any material improvement is visible in the conduct or habits of those under our charge; but we feel that considerable exertion on our part is amply repaid by witnessing even a small evidence of increased comfort in their situation; and we have some reason to hope that the efforts of those visitors who have tried faithfully to perform their duties, will not be entirely lost!"

Fifth District.

One child has been bound out, 3 placed at service, 3 sent to Infants' school, 7 to other schools, and one to Sunday school. A place procured for one woman. 33 persons are reported as belonging to Mutual Benefit Associations, (some of them to several) but this we believe falls far short of the actual number. Assistance has been obtained from various charitable societies, and from the Guardians of the Poor—and \$12,50 of the U. Benevolent fund given to the visitors for distribution. The February report says "four persons who deposited for fuel will not need their wood this winter, but will let the money remain, and they tell the visitors they continue to lay by for that purpose." Want of employment is stated to be the most serious evil the visitors have to contend with, and this they fear is a fruitful source of the intemperance that prevails to so alarming an extent, at least in one class of the community. This consists of tradesmen and labourers whose occupations are either not carried on at all during the inclement season, or do not furnish work for the same number of hands. Having nothing to do, they congregate at taverns and tipping houses for amusement, and habits of intemperance are the natural result. This District also asks whether some plan cannot be devised for placing more funds at the disposal of the visitors of the U. B. A. without increasing the public burden. Our Society, they say, was based on the belief that an abundant provision was made for the poor, which required only to be directed to proper objects, and that the visitors could never be at a loss for a source from which to obtain aid. Cases however constantly occur for which they find no way of affording relief but by drawing on their own private purses, or on those of their friends. It is not their wish to make ours an alms-giving society,—they are sensible it has a higher aim—but they think it proper to state this difficulty.

Sixth District.

Eight hundred and ninety-eight visits have been made. Three children placed at service, one in the country—three children sent to Infants' school, one to another school, three to Sunday schools. Assistance has been received from charitable societies and from the Guardians of the Poor, and \$16,24½ expended (from what source obtained is not stated). A visiting Committee express their pleasure in being able to say there is more industry in their section this winter than they have ever known, the poor ask for work every time they are visited. The subscribers to the Fuel Savings Fund feel much obliged to the visitors for the trouble they took to secure them so much comfort. Another Committee remarks, "most of the families under our care are in comfortable circumstances, owing, we think, to their having made provisions for fuel, in summer,

Seventh District.

Four hundred and seventy-one visits are reported as having been made. Seventy families are under care. Three children have been placed at service—eight put to school. Assistance has been re-

ceived from charitable societies, from families in the District, and \$10 of our fund has been expended. The visitors of the Sixth Section say they perceive a decided improvement in the condition of those families which they have regularly visited since the formation of our Society. One family is particularly mentioned, who, the first winter, were in a state of extreme poverty. Clothing was furnished for the children on condition of their being sent to school, and now the visitors have not only the pleasure of seeing them decently clad, but every thing around them assuming a more comfortable appearance. The last monthly report speaks of a coloured woman, (a washerwoman) who, in the past year, has placed \$90 in the hands of an individual. In one Section, there is more demand for work than for any other kind of assistance, and the visitors regret it has not been in their power to answer this laudable demand. The District Committee say, "notwithstanding the great amount of suffering which has come under our notice the past winter, we have received but \$10 from the fund of our Association, which, without other resources among our members, would have proved altogether insufficient for the supply of the pressing wants of our poor." They express a desire that the U. B. Association might possess a permanent fund for the use of the sick. This they think would induce some of their members more frequently to visit the abodes of misery, and extend that consolation which their varied afflictions require, for, they remark, "so closely allied are the moral and physical necessities of the poor, that to neglect the one would be to lessen our influence over the other."

Eighth and Eleventh Districts, (in connexion.)

Reports from these districts, say "sickness and distress" are apparent in every section—provision and clothing, attention and sympathy have been bestowed, yet the picture presented this season is so different from that of the last year, as to excite lively feelings of gratitude in the breasts of all who "consider the poor." Visits are so well received that none are willing to give up their poor, unless they are formally dismissed as one committee were, on a late occasion, who were informed that, as "they came only to gather news and gave nothing, their visits were not wanted," the woman promising at the same time "to call on them if she wanted anything." She was informed that no aid could be obtained from the Society without a reference to the visitors.

Some incidents of an encouraging nature are related. The family of an intemperate man came under the care of the visitors. They were in want of food and clothing, both of which were provided by the kindness of the neighbours, with the aid of the visitors, and their little girl was taken to Infants' School. The conduct of the husband at first exceedingly discouraged the visitor. "What shall I do with S?" she said to a friend. "I found him crying over the Scottish Chiefs." "Talk to him, he has feeling of some kind," was the answer. She took the hint; finding some money was due to him she offered to collect it, &c. Finally he promised that the rent should be paid before she came again, which she had the satisfaction to find done, some wood also bought, and money given to his wife. Her visits are now well received and she may in time accomplish her end. Two other men who were victims of intemperance have reformed so far as to attend places of worship and behave with propriety at home. One is remarkable: he was very abusive in his family. He was persuaded to go with his wife to the protracted meeting, lately held in the Baptist meeting house on the Schuylkill. Here the lesson "the wages of sin is death," struck his eye and happily his conscience too. He began to repent of his besetting sin, attended the whole meeting, and now gives evidence of being an altered man. The difficulty of obtaining funds, the ladies say, has been a serious concern with them. Besides the

loss of time and exposure of health incident to visiting the poor, they have been obliged to draw upon their own purses, in many instances, to relieve pressing necessities. The amount of money expended they have not been able to ascertain—\$10 were recently received as a donation from an unknown hand—\$5 have been received from our Agent, \$10 were spent by two ladies in one section. There are 22 subscribers of \$1 each to the Sewing Fund Society of the Districts, to which several donations in money and materials have been made.

Ninth District.

This district was reorganized the 5th of January, 26 families are reported as requiring attention. The visitors of the 1st section say they have pleasure in stating that they have met with no intemperate persons. A woman, who had withdrawn her children from school on account of an affront, has been induced to send them again. Many persons are employed in the lead factories where they get good wages; but many others, women who have several children to support, depend entirely upon spooling, which scarcely affords a subsistence. A family who found difficulty in obtaining work have lately returned to the state of Delaware, from which they came, an example many would do well to follow.

Tenth District.

But one report has been received from this district for the last quarter. No particulars are given, it is stated generally that the visitors have been employed in obtaining assistance for the poor, and in providing them with employment, and that employment is wanted.

Eleventh District

Has recently been organized, a District Committee appointed, and it will no longer be connected with the eighth, as heretofore.

Twelfth District.

In this district are about one hundred families, principally English and Irish, employed in brickmaking, attending at the coal yards and in the factories—208 children, 126 of whom are under 10 years of age. The Committee says the school which is their principal hope continues to increase; on the roll book are 150 names. The teacher is so much interested in the inhabitants that she has opened an evening school for adults, and such of the children as are employed in the factories during the day. On the opening of this school thirty attended, the second evening fifty. So great is their anxiety to learn, that previous to the commencement of this school, many of them attended at the school room during the interval of work to receive instruction. Teachers are much wanted for the evening school. The only way in which assistance has been given has been by furnishing employment. Intemperance and the want of regular employment for females are the greatest evils.

NORTHERN LIBERTIES.

First District.

Eighteen families have been assisted—ten females provided with work. Aid obtained for charitable societies, and \$10 U. B. money expended. The visitors generally report favourably, but one family is reported who are totally undeserving and have yet contrived to impose upon the kindness of the community. We think it important to mention some such cases in order, if possible, to induce some really benevolent persons to abandon their system of indiscriminate charity, which is doing mischief to both rich and poor. This family was Irish, had been in this country, at the time the report was given, about three months, and in the city, six weeks. When first visited they were destitute of every thing; a proposal to remove them to the Alms House, (as they had no ties here) was rejected with scorn. They have been supported altogether by charity; the

wife begging, and numbers sending them wood, clothing, provisions and money. His sickness is known to be counterfeited, they send their little daughter for liquor at nine or ten o'clock at night, drink and carouse all night, and in the day are "very bad indeed."

Second and Fourth Districts.

Eleven children are mentioned as having been placed at school, but this does not appear to be the whole number—three adults also, one child placed at service; a number of the sectional reports are said to be very satisfactory, to afford much encouragement for perseverance, and to prove that the exertions of our Association have not been fruitless. In many instances deserving but dejected families have, by a little assistance, been induced to exert themselves; and many children, through the influence of the visitors, have been rescued from indolence and vice, and placed at school or at service. One woman whom her visitor employs one day in the week has been persuaded to deposit the wages of that day with her, to be placed in the Saving Fund. Several loans have been made amounting in all to \$20 50; in three instances part of the money has been returned and the rest is expected to be repaid—\$4 89 have been expended. The visitors meeting with many cases where clothing was wanted, and finding some difficulty in obtaining it, raised a small fund to enable them to purchase flannel, &c., and some bed clothes to loan. Thirteen dollars were collected, but owing to the liberal donations in goods received by their purchasing committee, very little was expended. Employment has been furnished to poor women by giving them some of the articles to make.

Third District.

Visitors are wanted in several sections—loans been made to the amount of \$5 25, \$2 of which have been returned, \$7 expended. There are but twelve ladies to take charge of this district, which is a large one, and from the circumstances of the inhabitants, requires constant visiting. They ask what aid may be expected from the funds of the Society, as their visitors are in many instances unwilling to witness scenes of distress without the means of relieving them.

THE DISTRICT OF MOYAMENSING.

Notwithstanding the numerous difficulties and discouragements which attend the visitors in this district, they are not altogether without hope. They state that there are fewer mendicants now than at any former period in one of the sections, although inhabited by a wretched class of beings, whose whole subsistence seems at one time to have been obtained by begging. Wandering from door to door, asking for broken victuals—they supplied their daily wants, and the surplus gatherings were disposed of at boarding houses. Their nights were passed in miserable hovels where a straw bed was afforded at two cents a night. Even this life in which comfort is unknown, they prefer to an asylum in the Alms House. Three hundred and five visits have been paid in the district since the last report; sixty-four persons have been relieved. It is gratifying to be able to state that forty children have been placed at school, and eight at service. Eight families have received wood from the Association. The sum of \$16 86 has been obtained from the Union Benevolent Association, \$26 50 from other sources, and \$12 66 private charity. The visitors report having expended \$34 34 and loaned \$2 56½.

An Infant School is greatly needed in Moyamensing. The greatest evil, however, is the rapid increase of shops for the sale of ardent spirits; the difficulty of obtaining a subsistence is considered by those who keep them a sufficient excuse. Sixteen intemperate persons have been found in a single section. By the persevering attention and counsel of the visitors, two women, who at first appeared lost to every good feeling and refused to

listen to advice, have been reformed and give good evidence of a desire to lead new lives. A young woman was found deserted by her husband, given up to habits of intemperance, and in the lowest state of degradation. She has now entirely given up drink, has been known to refuse it when offered, and has expressed a desire to attend a place of worship. Her husband who is an industrious man, has returned to her. With these facts before them, the visitors feel encouraged to go forward.

Aid in various ways has been given by the following Charitable Societies, upon application from the visitors of the Union Benevolent Association. Others perhaps have contributed, but they are not mentioned in the Reports. The several Dorcas Societies, the St. George's, St. Andrew's, Hibernian and German Societies; the Roman Catholic Society, and several of the Churches; Female Association, for the relief of indigent Widows and Single Women, Female Association for the relief of the Sick and Infirm Poor, Female Hospitable Society, House of Industry, Fragment Society, and Provident Society.

The greatest difficulties the visitors have to contend with, and those most frequently spoken of, are intemperance, want of employment, frequent change of residence among the poor, and want of funds.

In conclusion we must express our gratitude to that Almighty Being who has inclined the hearts of so many to engage in this work, and who has so far blessed our efforts. May his counsel guide and his wisdom direct in all our future proceedings and may all the praise be ascribed to him to whom alone it is due.

By order of the Board of Managers.

AMELIA DAVIDSON,
Assistant Secretary.

April 18th, 1833.

Account of monies received during the quarter ending April 3d.

January 8th, 1833, balance on hand,	\$112 60
February 25th, received from the executive Board,	100 00
	\$212 60
Appropriated to extreme cases,	\$125 42
Loaned to the Poor,	75 00
	\$200 42
April 3d, balance on hand,	\$12 18

Correspondence of the U. S. Gazette.

WYOMING MASSACRE.

NEW TROY, Pa. June 6, 1833.

This little village was yesterday made the scene of an exhibition of the most unusual and thrilling interest. The remains of those who were sacrificed at the Wyoming massacre on the 3d of July, 1778, were disinterred, preparatory to the raising a monument commemorative of that disastrous event. On the beautiful plain where now stands the cheerful village of New-Troy on the west bank of the Susquehanna, and a short distance above Wilkesbarre, was recently discovered the sepulchre, where the dead had hastily been interred by the surviving settlers. The bodies had evidently been thrown into one common grave, and as no stone had been left to mark the spot, it had long been lost sight of. Different individuals residing in the neighborhood, some of whom were children of the sufferers, had made repeated attempts to discover the grave, but the progress of cultivation had so effectually obliterated all traces, that every search had heretofore proved fruitless. The grave is situated in a lot adjoining the road and is slightly elevated above the surrounding country. The Susquehanna is within a short distance and adds to the picturesque beauty of the scenery, which from every

point of view possesses uncommon interest. About twelve hundred dollars have been already subscribed towards defraying the expenses of a monument. The workmen are now engaged in preparing a vault in which the remains are to be deposited, and it is expected the monument will be erected on the third of the ensuing month, it being the anniversary of the battle.

The remains are now lying in boxes placed in an adjoining building under the care of a neighbor, Mr. Erasmus Hill, and are certainly objects of great curiosity as well as interest. Eighty skulls are displayed to the contemplation of the spectator and the light of day, after having for near half a century reposed beneath the soil on which the merciless savages left their slaughtered bodies. The limbs and skulls are variously marked. Some bones are perforated by balls, and the skulls are almost invariably broken by the tomahawk; in some cases the poll of that instrument has apparently alone performed the work of death, while in others the edge has cleft through the skull in a manner that shows the enemy to have been proficient in the use of his weapon. In every instance the marks of the scalping knife are distinctly visible. On removing one particular skull, a bullet was found, almost embedded in the bone; a little above the left ear and back of the temple. The lead is partially divided, apparently battered by the force of the concussion and at this moment is preserved in its original position from which it is removed without difficulty for the inspection of the curious.

Among the relics were found small portions of garment made of wool, on which the color, a 'bottle' green, is distinctly visible.

From the American Quarterly Review.

BIOGRAPHICAL SKETCH OF
CHARLES THOMSON,
Secretary of the Revolutionary Congress.

Having descended on the moral excellence of Washington, the transition is natural to another model of rigid integrity, whose name we have already mentioned above; we mean CHARLES THOMSON, whom we may call "Perpetual Secretary" of the Revolutionary Congress. There is no account of him in the biographical works in our hands: nor indeed, in any print, so far as we have heard. The Indians instinctively surnamed him the *Man of Truth*,* as with no less propriety they called the late Col. Meigs, the *White Path*. Of the *Man of Truth*, we have recollections of our own; having passed very interesting hours with him a few years ago, after he had turned the age of ninety, though while he retained his memory of revolutionary times. But we prefer to use the following familiar statements, kindly imparted before his death, (1824) by one of his most intimate and accomplished friends.

"I have believed that it might, perhaps, be acceptable to you to hear such notices of this venerable patriot, as my opportunities from time to time of his interesting conversations have enabled me to communicate, and I am safe in stating, that a reliance may certainly be placed upon what I have to offer, for it is not wholly from recollection that I draw; I had long been in the habit, when I returned from visiting this remarkable man, of writing down the information elicited in conversation, especially respecting himself.

"He was by birth an Irishman, but left that country when very young, in company with his father and three brothers, being himself the youngest son. He was born in November, 1729, and was about eleven years of age when he arrived in this country. His father having died on the passage, his brothers thought that the captain who had behaved in such a manner as to warrant

the suspicion, embezzled the money which their father had brought out with him; he turned them on shore at New Castle, with but very slender means of providing for themselves in a strange country. Charles has told me, that his great anxiety was to secure the advantages of education, and that one of his brothers kindly furnished him with money, from one quarter to another, to pay for his schooling, which he afterwards gratefully repaid, by purchasing a plantation and presenting it to his brother. It was his good fortune to place himself at the school of Dr. Allison, a clergyman of high character for classical learning, who at that time resided at Thunder-hill, in Maryland. Here also were educated at that same period, the late Governor M'Kean, and George Read, of Delaware, with several other distinguished persons. I have heard him in describing the state of the country at that time, say, that the deer often crossed his path, and that he had seen the beaver at work. In these times of simplicity, books were very scarce, so that a single lexicon served the whole school. One of the boys who had been in Philadelphia, had brought down a volume of the Spectator, which Charles Thomson says he read with incredible delight, and on a school-fellow's telling him that a whole set were for sale in town, at a price which his little store of cash could afford, he set off the next day, without asking leave, walked to Philadelphia, and having possessed himself of the treasure, returned to school without further delay; when the motive of his absence being made known, it procured his pardon.

"At this seminary he obtained a knowledge of the Greek and Latin languages, and of Mathematics, and such other acquirements, as enabled him, when a very young man, to keep the Friends' Academy in Philadelphia, with considerable credit to himself. He afterwards married and went into business in that city. I have heard him say, that his acquaintance with Dr. Franklin began with his introducing himself to that distinguished man, stating his youth, inexperience, and unprotected situation, and entreating him to afford his countenance and advice, and, if he found him worthy of it, his friendship, which was upon trial, fully accorded, and lasted through the Doctor's life. He belonged, at this period, to a club, modelled upon that of the famous Junto to which Franklin had belonged, where they used to discuss political questions, and were constantly on the alert to render service to their fellow citizens.

Charles Thomson's principles were early of a most republican cast. I think he began the opposition to the stamp act in Pennsylvania. I will repeat, in his own words, the narrative which he gave us of his first officiating as a secretary of Congress.

"I was married to my second wife on a Thursday; on the next Monday, I came to town to pay my respects to my wife's aunt, and the family. Just as I alighted in Chesnut street, the door-keeper of Congress (then first met) accosted me with a message from them requesting my presence. Surprised at this, and not able to divine why I was wanted, I however bade my servant put up the horses, and followed the messenger to the Carpenter's Hall, and entered Congress. Here was indeed an august assembly! And deep thought and solemn anxiety were observable in their countenances! I walked up the aisle, and standing opposite to the President, I bowed, and told him I awaited his pleasure. He replied, "Congress desires the favour of you, sir, to take their Minutes." I bowed in acquiescence, and took my seat at the desk. After a short silence, Patrick Henry arose to speak. I did not then know him; he was dressed in a suit of parson's grey, and from his appearance I took him for a Presbyterian clergyman, used to haranguing the people: he observed that we were here met at a time and on an occasion of great difficulty and distress; that our circumstances were like those of a man in deep embarrassment and trouble, who had called his friends together to devise what was best to be done for his relief; one would propose one thing

* For the occasion which gave rise to this name, see Reg. Vol. VIII, page 169.

and another a different one, whilst perhaps a third would think of something better suited to his unhappy circumstances, which he would embrace, and think no more of the rejected schemes, with which he would have nothing to do. "I thought," continued the venerable narrator, "that this was very good instruction to me, with respect to taking the minutes; what Congress adopted I committed to writing; with what they rejected I had nothing farther to do; and even this method led to some squabbles with the members, who were desirous of having their speeches and resolutions however put to rest by the majority, still preserved upon the minutes."

"It will be recollected that Charles Thomson kept his station as Secretary of Congress, with great reputation to himself and advantage to the cause, until the perilous war was ended, and the sun of the confederacy rose brighter over the fogs and mists which had clouded its first dawn. The value of his great integrity was apparent, in the implicit credit with which the public received whatever was published with the sanction of his name; his services were also very great in the House, in a variety of ways: such as reconciling the members, repressing extravagancies, and detecting errors, in whatever came within the sphere of his business. The Indians, into one of whose tribes I have heard him say he was adopted many years before, gave him a name, signifying the 'Man of Truth,' and he completely verified the appellation. The mass of documents and papers which he possessed, if he had not destroyed them, must be very great. In a note written by him, in Wirt's Life of Patrick Henry, which a friend took over to him to read immediately upon its publication, he says he has 'a copy of the Journal of Congress held at New York, in 1765, and which Virginia did not attend.' I believe this was never published, and it is curious, as one of the more remote fountains of the revolution. His conversation, before his mind had bent beneath the pressure of years, was a rich fund of information and entertainment on these subjects. His natural temper was remarkably good and cheerful, and nothing delighted him more than free and social conversation with his friends; he possessed a great share of natural sagacity; he seemed to penetrate into the characters of men, and into their motives, with surprising facility; and he could, when provoked, or the occasion called for it, use a caustic severity in reproof, which was felt the more severely, as not inflicted willingly. He was a true republican of the old school; he hated all the 'necessities' of royalty and the pomp and trappings of aristocracy. He was most strictly moral and religious, attending more to the spirit than to the forms of religion, but his mind was fully imbued with the great truths of Christianity.

"He was twice married; his wife was the daughter of James Mather, of a reputable family who lived at Chester in this state. She was a very amiable woman, but soon taken from him by death; by her he had two children, twins, who died infants. His second wife was Hannah, daughter of Richard Harrison, of Marion, in Pennsylvania, by whom he became possessed of the estate of Harrington, where he now resides.

He has frequently mentioned to me the patriotism and firmness of his lady. He said she never complained of any inconvenience resulting from their situation in consequence of the war; but did every thing in her power to lighten difficulties, and assist him. His business, he was aware, was too confidential to be intrusted to a secretary or clerk; she assisted him with her own pen, and the archives of the revolution contained much of her copying.

"At the adoption of the new constitution of these States, after the revolutionary war had closed, he assisted at the organization of the new government, and was the person deputed to inform the excellent Washington of his nomination to the Presidency. He accordingly waited on him at Mount Vernon, and attended

him on his journey to assume the reins of government.

"Washington wished much to retain him in his service, and offered him any situation in his gift; but to use his own expression, 'the suitable hour for his retirement had now come.' How he has spent his time in retirement whilst it pleased Providence to continue to him the powers of his will and understanding, the public are partly acquainted, by the publication of his Translation of the Holy Scriptures, and the Synopsis of the New Testament. Of the former work I have heard him observe, that however it might be received by the world, it had been blessed to himself; and I believe the latter work has been received as a valuable addition to the Christian's Library.

"When I last saw this venerable man he had suffered much from the decay of nature, and his mind was in ruins; but it was the ruin of a palace that had been dedicated to pious and hallowed purposes, and the remains of its fitness and proportions were still apparent."

From the Beaver Argus.

THE FALLS OF BEAVER.

MR. M. T. C. GOULD, of New Brighton, has recently published a Map of the FALLS OF BEAVER and vicinity, appended to which is a description of the Falls, the advantages they afford to manufacturers, and to the propelling of all kinds of machinery, the immense water power, and the facilities with which our products and manufacturers can be transported to a choice of markets, together with a general view of the Agricultural, Commercial and Manufacturing advantages of Beaver County. We have copied this description into our paper, believing it will be very acceptable to our readers. Persons at a distance may form some idea of our increasing prosperity by its perusal.

"The Falls of Beaver commence about five miles from its confluence with the Ohio River, and consist of a succession of rapids with but few and small perpendicular pitches, for two-thirds of that distance. The valley of Beaver at this place is about half a mile wide, and the stream 4 or 500 hundred feet. The Valley is bounded on the East and West by high, and in some places, perpendicular hills—the channel has a continued bed of solid rock. Immediately at the head of the Falls, Beaver takes a direction to the South East, until it meets a bold and rocky precipice, along which it circles to the South leaving on its Western shore an extensive plain of from 20 to 50 feet above the level of low water. The current, checked in its course to the South East, is projected across the Valley to the South West until it meets the resistance of the Western hills, leaving on its Eastern shore a plain similar to the one just noticed. Again arrested in its course, it gradually resumes its general direction to the South, dividing the Valley in such manner as to permit the occupancy of both its banks."

This locality of the immense water power afforded by the Beaver, offers every facility for its employment in propelling machinery while the adjacent level plains present the most eligible sites for work shops, and the most pleasant and healthy situations for the residence of man. The plain on the West side is in extent amply sufficient for a large manufacturing town. Its aspect is to the South and East, gently inclined to the water edge. By this arrangement of the ground, the water may be taken out at any desirable point above the new dam just finished by the state, commanding a fall of 25 feet, and to any amount short of the volume of the stream.

At the South of this plain stands the village of Brighton, and nearly opposite, on the East side, on a similar plain with similar advantages, is New Brighton, both of which are rapidly improving—a charter has recently been obtained from the Legislature for the erection of a bridge to connect these Villages.

A little lower down on the West side, is Fallston, remarkable for its water power and manufactories—and in succession, on the same side, the Villages of Sharon and Bridgewater.

The whole amount of fall, including a dam now building by the State, at the head of the falls, is sixty-nine feet, the supply of water abundant and easily commanded—one 12th only of which is now occupied. The existing establishments give support to about 800 persons.

The capital invested is more than \$120,000.

Annual value of manufactories about \$120,000.

Immense water power, in the most eligible situations, is now, or will soon be, in the market. Permanent dams are already built and races dug. There is perhaps no situation in the Western Country, where a like amount of water power, and other facilities for manufacturing upon an extensive scale can be met with.

The commissioners appointed under the act of Congress to establish an Armory on the Western waters, after a patient laborious, and scientific examination, and estimate of all the prominent sites of water works in Western Pennsylvania, Virginia, the States of Kentucky, Tennessee, Indiana and Ohio, gave this site a *decided and merited preference*. (See their Report, page 47.)

This report states that in the year 1822, when "the water was lower than at any former period within recollection, there was flowing through the channel at Fallston, 85 cubic feet per second; and the volume of the River was estimated to be three times that in the Canal." (See page 57.)

Again, (page 59.) "The volume of water in the Canal, at a low stage, in ordinary seasons, does not exceed one 8th of the whole volume of the River, and the whole quantity supplied by the River, at its lowest stage in 1822, was 236 cubic feet per second." If we multiply 236, the cubic feet, by 65, the head and fall, we have the whole water power of the Falls expressed by the number 15,340—sufficient to propel *one hundred and sixty-eight pair of five feet burr Mill Stones!*

VILLAGES, &c.

Brighton—on the West side of Beaver River near the head of the Falls, and about three miles from the Ohio.

No. of buildings, 45—Families 48—Population about 350.

It is owned and occupied by Mr. Patterson, late of Philadelphia, an enterprising manufacturer and Agriculturist. He has commenced the manufacture of Cotton, and is prepared to carry it on extensively. There are already many families in his employ, and the water power is very abundant. There has lately been erected a very large Paper Mill, now in operation, upon an improved plan—capital about \$20,000. Coal of the best quality abounds and contracts have been made to deliver it at 4 1-2 cents per bushel.

New Brighton—situated on the East side of Beaver, opposite the middle and lower Falls—at the termination of the Beaver Canal, and head of steam boat navigation, though comparatively a wilderness in 1830, has now about seventy dwellings, mostly brick, and more than seventy families, with a population of five or six hundred, and rapidly increasing.

This place possesses many advantages and facilities for a manufacturing town. The water power from the Canal, and the dam and race of Mr. Townsend, the proprietor, is immense—a small portion only of the latter is occupied, and none of the former.

New Brighton, whether we look to its geographical advantages, the salubrity of its atmosphere, its immense water power, its canal navigation, its steam boat facilities, its delightful plains, and the graceful native slopes by which they are connected on the one hand to the receding hills that open to the surrounding country, and on the other, to the limpid waters of a romantic stream, that half encircles the town—or whether we look to

the inexhaustible beds of coal, of iron, of lime, of alum, of salt, of building stone—with which the neighborhood abounds, or to its present importance and rapid advancement in population, arts, manufactories and commerce, is evidently destined soon to become a large and flourishing town.

A vast amount of water power, and a great number of village and out lots will be offered for sale, in the course of the present season, and water is about to be introduced, through a conduit from a neighboring hill, to supply many who must be otherwise dependent on the more expensive and laborous method of raising their family supplies from wells. Extensive Boarding Schools for the education of male and female youth, are also soon to be opened, in this place, and when it is known that there are within three miles no less than eight other villages, and an aggregate population of about 5000 enterprising inhabitants, it cannot be doubted that other institutions and public establishments will soon be added to increase the manifold inducements already held out to capitalists, manufacturers, &c.

Fallston—situated at the lower Falls, on the West side of Beaver River. Number of houses, 80—Families, over 100—Population, upwards of 700. It is a manufacturing town. At low water, it has a supply of 85 cubic feet of water per second, with a head and fall of 15 feet.

Its manufactures are of Woolens, Cottons, Paper, Linseed Oil, Wire, and of Wood and Iron, in great variety, such as Carding Machines, Scythes, Buckets, Window Sash, &c. &c. annual value more than \$100,000. Say of Wire, 50 tons—Scythes, 350 doz.—Buckets, 20,000.

Sharon—on the West side of Beaver, below the mouth of Brady's Run, has a population of about 5 or 600.

It possesses Coal mines and a Salt well, in full operation. Boat building is also carried on here, to a considerable extent.

Bolsville—a village on the East side of Beaver. Number of dwelling houses, 17—Families, 30—Population, about 200. The proprietor has a Steam Saw Mill, and extensive Boat yard, where business is done to the amount of \$15,000 per annum.

Bridgewater—situated at West end of the Bridge over the mouth of Beaver, has a population of 3 or 400. This place is growing, rapidly, and bids fair to maintain its rank with the neighboring towns.

The bridge is one of the best in Pennsylvania, and the dam erecting immediately below it, will create a fine water power at low water in the Ohio.

Beavertown—The seat of Justice of Beaver county, situated on an elevated plain, below the mouth of Beaver. Number of dwelling houses, 85—families, 92—population, 634.

Its public buildings are a Court House and Offices, of brick; a stone Jail, an academy and two churches of brick; Presbyterian and Methodist, and two printing offices.

Phillipsburg or **New Philadelphia**—A manufacturing village, situated on the south side of the Ohio, opposite the mouth of Beaver. It was originally owned by Messrs. Phillips and Graham, and connected with an extensive steam boat yard; but now occupied by Count de Leon and his associates, who have formed a society or joint stock company for manufacturing and agricultural purposes. Population 250.

Freedom—A village on the north side of the Ohio, two miles above the mouth of Beaver. It has been built within a year, and contains about 40 dwellings—47 families, and about 320 inhabitants—an extensive distillery and steam boat yard—various workshops, &c. Mr. Phillips, the proprietor, gives employment and liberal encouragement to ship carpenters and other mechanics, who turn out work to the amount of 20,000 dollars per annum.

There are various other groups of houses and various

establishments, too tedious to mention. A few families at the east end of Beaver bridge, have assumed for their place the name of Grandview.

At Bridgewater there is a warehouse, and from that place there is a regular communication with Pittsburg, by keel boats, for the transmission of produce and return of various merchandize, &c.

At the mouth of Beaver, on the west side, is the establishment of Mr. Stone, who is extensively engaged in the receipt and transmission of almost every article of traffic. A steam boat plies regularly every day (Sunday excepted) to and from Pittsburg. The latter place is also connected with Beaver by a daily line of stages, &c.

The scenery around the "Falls" is picturesque and romantic in a high degree. It must be seen to be understood and enjoyed.

The water is pure, abundant and wholesome; and is said to possess all the qualities necessary for solvents of the coloring matter used in calico printing and other dyes.

From the Philadelphia Gazette.

PROCEEDINGS OF COUNCILS.

(Continued from page 392.)

Resolved, That the City Commissioners be directed to advertise for proposals to supply the city with spermaceti oil, in such quantity as may be required, not exceeding twenty-five thousand gallons: provided that the proposals shall state the prices at which the contract will be made for summer and winter strained Spermaceti Oil separately: the proportion of each to be determined by the City Commissioners, and the quality to be such as shall be approved of by our Inspector, to be appointed by the City Commissioners.

Mr. MAITLAND as Chairman of the Committee offered the annexed resolution, which was passed by the Common Council, but was not acted on in the Select Council.

The Committee to whom was referred the application of Messrs. Lancaster, for leasing the dock at Spruce street, have had the subject duly considered and offer the following resolution.

Resolved by the Select and Common Council, That the city commissioners be and are hereby authorised to lease to Thomas Lancaster and Jacob B. Lancaster, the Spruce street dock on the Delaware, for three years from 16th inst. at the yearly rent of two hundred dollars, subject to the regulations and restrictions to which the same has been held heretofore, and subject to be removed therefrom, should the public improvements require that the city should repossess said Dock, they receiving three months notice thereof.

Mr. MAITLAND as chairman of the same committee reported the following ordinance, which was read and laid on the table.

The committee to whom was referred the plan and estimate of the intended improvement of the Drawbridge wharves, have given the subject due consideration, and ask leave to submit an ordinance for carrying the same into effect.

An ordinance providing for the improvement of the Drawbridge wharf, and to extend the culvert in Dock street.

Sec. 1. Be it ordained and enacted by the citizens of Philadelphia, in Select and Common Councils assembled, That the City Commissioners be, and they are hereby authorized and directed (under the superintendence of the committee on the Drawbridge Lot) to cause the improvements on the Drawbridge wharves east of Front street, to be made according to the plan reported by the City Surveyor and City Commissioners, together with the necessary culvert as laid down in that plan, and that contracts be made by the City Commissioners under the superintendence of the said committee to

complete the said arrangements with the least possible delay, (provided nevertheless that the City Commissioners, the City Surveyor, and the committee aforesaid be authorised to vary the course of said culvert so as to carry the same in such course, as by them may be deemed most expedient,) and the expense thereof be charged to Appropriation No. —.

Mr. CHANDLER offered the annexed resolutions, the first of which was adopted by Yeas and Nays. Yeas, Messrs. Akens, Ryerly, Chandler, Gowen, Haines, Merri-ck, McMullin, Sailor, Troth, and S. Wetherill, 10. — Nays, Messrs. Borie, Lapsley, Maitland, Smith, Yarnall, 5. The second resolution was laid on the table.

Resolved by the Select and Common Councils, That the plan for the building of the Girard College for Orphans, presented this evening from the building committee, (and approved by the Board of Trustees,) be fully approved and sanctioned by these Councils, and that the building committee of the College be instructed to proceed with as little delay as possible in the discharge of the duties devolved upon them by their election.

Resolved, That Councils approve of the location of the College buildings recommended by the committee.

Mr. Haines moved that the Common Council adjourn to meet on Monday evening next, which was adopted.

Thursday Evening, May 9, 1833.

SELECT COUNCIL.—A communication was received from the cleaners of the streets, praying for an increase of their wages.

The annexed communication from the Treasurer of the Girard Trusts, was received.

To the President and Members of the Select and Common Councils.

Treasurer's office of the Girard Trust, }
May 9th, 1833. }

Gentlemen—The Executors passed over to me on the 3d instant, the following personal property from the estate of the late Stephen Girard, Esq. viz:

One certificate of city 5 per cent loan for	\$76,300	Cost \$87,745
One certificate of Penn. 5 per cent loan for	\$12,000	Cost \$13,860
Making 101,605 dollars, for which I have given a receipt in the name of the Mayor, Aldermen, and Citizens of Philadelphia. And on the 4th instant, at a stated meeting of the Commissioners of the Girard Estates, they ordered by a resolution, that the following named Stocks and Loans be, and are hereby appropriated (at the executors valuation) for the improvement of the Eastern front of the city, agreeably to the 22d section of the will of Stephen Girard.		
One certificate of Pennsylvania 5 per cent loan for	\$40,167 00	Value. 45,822 66
One certificate of Schuylkill Navigation Co. loan for	265,850 00	276,484 00
Three notes for Mount Carbon Rail Road loan for	30,000 00	30,000 00
One certificate of loan to Guardians of the Poor	25,000 00	25,000 00
One certificate for 22 shares Pennsylvania Insurance Co.	8,800 00	11,000 00
One certificate for 50 shares Philadelphia Insurance Co.	2,500	4,166 67
One certificate of city 5 per cent loan for	76,300 00	87,745 00
One certificate of Pennsylvania 5 per cent loan for	12,000 00	13,860 00
One certificate of 100 shares Delaware Insurance Co.	4,000 00	4,200 00
One certificate of Pennsylvania 5 per cent loan for	1,490 62	1,721 67
Making		\$500,000 00

All the appropriations called for by the Will, are now made.

With much respect, your very ob't. servant.

BRITAIN COOPER,
Treasurer.

The following communication from Mr. Paul Beck, Jr. was received, and referred to the committee on the Delaware avenue.

To the Hon. Select and Common Councils of the city of Philadelphia.

Philadelphia, 8th May, 1833.

Gentlemen:—It being my desire to improve my property at the north west corner of Pine street fronting on the river Delaware, by taking down the old buildings and putting up new stores, and as my large stores adjoining on the north extend eastwardly about sixteen feet beyond the other buildings in the square between Spruce and Pine streets, I am now willing to have so much thereof taken down, and to keep back at the corner where I propose to build, so that the buildings in said square will be on a range and conform to the regulation contemplated by the will of the late Stephen Girard.

Should the Councils think proper to begin with that square, and have the damages assessed in my favor, I have no objection to take stock for the amount so assessed at an interest of four per cent, payable half yearly, the principal to be paid whenever the Councils may think proper. An arrangement could be made at the present time for at least fifty per cent less cost to the public than at any time hereafter, should new buildings be erected. I am, gentlemen, with great respect, your humble servant,

PAUL BECK, Jr.

A communication from the Inspectors of the Prison was received, relating to vacancies.

The following communication from the committee of the Penn Township and Northern Liberties Rail Road Company, was received and referred to the Watering Committee.

To the Select and Common Councils of the city of Philadelphia.

The undersigned, a committee on behalf of the Northern Liberties and Penn Township Rail Road Company, respectfully represent that the route believed to be the most practicable and useful, and which has been adopted for said rail road, will commence at or near Coates street public landing on the Schuylkill, and connect with the Columbia Rail Road near to Coates street. In order to make this connexion, it is desirable and important that the proposed rail road should curve southward from Coates street, at a radius of about four hundred feet, which would require a small corner of the city property, say thirty feet on the south side of Coates street, tapering to a point. The purpose of the present communication is to obtain the consent of the city authorities to occupy said ground for the purpose of accomplishing a work that must be productive of general good, and enhance the value of the contiguous city wharves and property.

JOHN M. OGDEN,
ELIJAH DALLAS,
TH. REEVES, Jr.

Philadelphia, May 1, 1833.

COMMON COUNCILS.—Mr. Chandler was called to the chair in the absence of the president.

Mr. Gilder presented a petition praying for repaving Mifflin street, which was referred to the Paving Committee with power to act.

Mr. Gilder presented a petition from Messrs. Griffith Evans and George Pepper, relative to completing the culvert on Schuylkill Arch street, and filling up Ashton

street, which was referred to the Committee for the improvement of the wharves on the Schuylkill.

Mr. Elliott presented the annexed communication from Mr. T. Mitchell, which was referred to the same Committee.

Dear Sir—Herewith is a plan of the lot I have for sale, which I submit to your notice as one of those appointed to watch over our city concerns. It would be idle in my using any arguments to you, showing the advantage that would result to the city by its purchase—the price is nine thousand one hundred dollars, say seven dollars per foot.

With much respect,

T. MITCHELL.

May 9, 1833.

Isaac Elliott, Esq.
Mr. Lapsley as Chairman of the Committee on Markets, made the two following reports, which were adopted.

The Market Committee to whom was referred the petition of sundry Victuallers, praying for a repeal of the law requiring them to remove the rails from their stalls after market hours, report—

That they are unanimous in their opinion of the impropriety of making any change in the ordinance, and more particularly so as it would prove an inconvenience to the citizens opposite the same.

They would therefore submit the following:

Resolved, That it is inexpedient to grant the prayer of the petitioners.

The Market Committee, to whom was referred the petition of Messrs. Reeves and Toy, Lessees of Market street wharf, praying for a reduction of rent, report,

That the above named gentlemen have had a lease of the premises for two years at \$1200 per year, which expired on 15th February last.

The communication to Councils was not received until the latter end of March, and your committee are of opinion that the application should have been made at least three months prior to the expiration of the lease to have entitled them to any reduction of rent for the present year.

Your committee moreover believe the premises would easily command the same rent as the present occupants now pay.

All which is submitted.

Mr. Lapsley as Chairman of the Committee to whom were referred the letters from the City Treasurer, made the following report and resolution, which were adopted.

The Committee to whom was referred the communication from the City Treasurer relating to arrears of rent due Benjamin Reeves, beg leave to state the following:

On the 30th March 1824, Mr. Reeves leased from the city the North Dock on High street for 5 years at an annual rent of \$500, and in the year 1827 transferred his right of the same to Messrs. Reeves and Toy.

Early in the spring of 1830, the city authorities commenced the building of a wharf on Market street, at which time Messrs. Reeves and Toy were the occupants of the adjoining dock. The said wharf was not completed until late in the fall of same year, and Messrs. Reeves and Toy were not able to use their Dock while the improvements were making. Under these circumstances they petitioned the former Councils to be exonerated from the payment of any rent during the year 1830. It was referred to a committee who reported that in consequence of Messrs. R. and T. being deprived of the use of their dock during the operations on the premises they be exonerated from the payment of any rent during that time, and offered a resolution to that effect, which was passed, but the City Treasurer was not officially informed of the same.

The discrepancy in this business arises from the names of Reeves and Toy being introduced into the resolution instead of Benjamin Reeves, the original occupant in whose name the lease stood; and although Reeves and Toy had regularly paid the rent up to 31st December,

1829, yet they were known by Mr. Stevenson as the lessees of the premises.

Your committee therefore to obviate the difficulty would offer the following,

Resolved, That the City Treasurer be authorized to credit Mr. Benjamin Reeves for the arrears of rent of Market street Dock, instead of Reeves and Toy, as directed by a resolution passed in the former Councils. All which is submitted.

Mr. Chandler, as chairman of the committee, made the following report and resolution, which were adopted.

The committee to whom was referred the communication of Mr. Gavelot, proposing to prepare for the city a marble statue of the late Stephen Girard, according to a model exhibited, beg leave to report—

That in the discharge of the duties devolved upon them, by their appointment, they have carefully examined the model of the proposed statue, and have been forcibly struck with its remarkable resemblance to the distinguishable original, a resemblance recognized and acknowledged by all who knew Mr. Girard, and who have seen the model—and your committee cannot doubt that the artist who could be thus fortunate or rather perfect in his model, under the many unfavourable circumstances in which it was prepared, would fully meet his engagements to furnish a splendid statue, and a correct representation in marble of the city's munificent benefactor. To your committee also was referred the memorial of nearly fifteen hundred citizens, praying Councils to accept the proposition of Mr. Gavelot. The admitted excellence of the model and the strongly expressed desire of the citizens of Philadelphia to have a statue made by the artist who thus distinguished himself by the faithfulness to the original, will not allow your committee to treat the proposition of Mr. Gavelot as one of an ordinary nature. The obligations under which the city rests to its distinguished benefactor, are not indeed to be repaid by any offering to his memory; but self-respect would seem to dictate an expression of a due appreciation of his benefits by giving to his favorite project as full a completion as the state of the arts and a due respect to the testament of the deceased will permit. To this end it would seem to your committee that a statue to Mr. Girard would be an appropriate ornament to the building of the College for Orphans, founded and to be sustained by his munificence—and the committee therefore offer the following Resolution:—

Resolved, That the proposition of Mr. H. Gavelot to prepare a statue of the late Stephen Girard, according to a model exhibited by him to the City Councils, be referred to the building committee of the Girard College, with authority to contract with Mr. Gavelot for the statue, the contract subject to the sanction of the Councils.

Mr. Gilder as chairman of the paving committee, reported an ordinance fixing the width of the footways in South alley, between Fourth and Fifth street, which were passed.

Mr. Maitland called up for consideration the ordinance for the Improvement of the Drawbridge wharf, which was agreed to, and this ordinance was passed.

A communication from the owners of property in Jacoby street, praying the said street be paved, was received and referred to the Paving Committee.

Mr. Gilder, as chairman of the Paving committee, made the annexed annual report and resolution, which were adopted.

The Paving Committee, to whom was referred the different petitions for paving and repaving, report—that they have viewed the different streets and alleys referred to them, and recommend the following resolutions:

Resolved, By the Select and Common Councils, that the following streets and alleys be graduated and paved under the direction of the Paving Committee and Superintendence of the City Commissioners.

No.	1.	Broad street, from Walnut to Cedar street,	Cub. yds.	Sq. yds.
			of digging.	of pav.
2.	George street, from Schuylkill Front to Beach street,	327	6,410	16,820
3.	Beech street, from George to Chesnut street,			1,318
4.	Filbert street, from Schuylkill Sixth to Schuylkill Seventh street,	630		913
5.	Diamond street, from Thirteenth to Juniper street,	210	630	1,260
6.	Cherry street, from Schuylkill Fifth to Schuylkill Seventh street,	966	210	420
7.	Walnut street, from Schuylkill Seventh to Schuylkill Third street,	2,629	966	1,932
8.	South alley from Fourth to Fifth street,	500	2,629	5,259
9.	Biddle's alley,		500	606
10.	Georges street, from Schuylkill Fifth to Schuylkill Sixth st.	500		175
11.	Schuylkill Fifth street, from Mulberry to Sassafras street,	471	500	933
12.	Olive street, from Juniper to Oak street,	738	471	1,884
13.	Mulberry street, from Schuylkill Fourth to Schuylkill Fifth street,			1,476
14.	Paper alley, from Thirteenth to Juniper street,			240
			15,381	34,016

Resolved, by the authority aforesaid, That the Paving Committee, in conjunction with the City Commissioners, be authorised to contract with any person or persons for labour and materials for the completion of the above items, in whatever way may in their opinion appear best for the public interest.

Mr. Merrick offered the annexed resolution, which was adopted by the Common Council, and Messrs. Merrick, Houston, and R. Toland, were appointed the committee.

Resolved, That a committee of three members be appointed to report an ordinance, for the re-organization of the City Police, in accordance with the will of Stephen Girard.

NEW CHURCHES.

Mr. Editor—In your last paper, you noticed the erection of a large church for the Third Presbyterian congregation of this city. That notice directed my thoughts to the number of the churches which are this season being erected in the city and its vicinity; and also the number which have been erected within the last two years, which are considered as new, some of them being still unfinished.

	Width.	Depth.
Methodist Episcopal,	56 ft.	74
Methodist Protestant,	62	76
Reformed Presbyterian, rebuilt,	50	65
Presbyterian, Northern Liberties,	50	60
Methodist Protestant, Alleghenytown,	44	60
Methodist Episcopal,	do.	35
Associate Reformed,	do.	45
Presbyterian,	do.	56
Two small houses for societies of Baptists, and a large Catholic Cathedral.		
In progress this season—		
Third Presbyterian Church,	66	92
Baptist,	48	56
Cumberland Presbyterian,	39	60
German Evangelical Protestant,	50	69
And one Presbyterian church, and one new Episco-		

pal church in the village of Lawrenceville—seventeen in all, built in three successive years. Previous to 1831, there were but ten churches in the city, and at these the people of the vicinity generally attended worship.—*Pittsburg Gazette.*

METEOROLOGICAL REGISTER.

Extract from the Meteorological Register, taken at the State Capitol—Harrisburg, Pennsylvania,

By JAMES WRIGHT, Librarian.

APRIL, 1833.

Time of observation at 9 A. M. and 1 and 5 o'clock P. M.

Days of the Month.	Days of Week.	Morning temperat.	Noon temperature.	Even. temperature	Mean temp. of day	WINDS.
Thermometer.						
1	Monday	49	67	70	62	S W
2	Tuesday	47	67	70	61	S W
3	Wednesd	55	60	61	59	S E
4	Thursd'y	60	69	72	67	S E
5	Friday	53	55	54	54	N W
6	Saturday	48	60	64	57	N
7	Sunday	48	53	55	52	S E
8	Monday	62	69	66	66	N E
9	Tuesday	54	63	70	62	N W
10	Wednesd	60	66	72	66	N W
11	Thursd'y	60	68	70	66	N W
12	Friday	55	63	60	59	N.
13	Saturday	40	48	50	46	N.
14	Sunday	46	63	68	59	N W
15	Monday	46	53	58	52	S W
16	Tuesday	44	47	50	47	N E
17	Wedne'y	46	52	55	51	E
18	Thursd'y	52	60	65	59	E
19	Friday	52	62	66	60	S E
20	Saturday	50	62	65	59	S W
21	Sunday	58	62	67	62	S W
22	Monday	60	68	70	66	
23	Tuesday	62	72	73	69	N W
24	Wednesd	58	63	62	61	S E
25	Thursd'y	46	48	49	48	N E
26	Friday	50	60	63	58	N W
27	Saturday	52	63	68	61	S E
28	Sunday	56	65	69	63	S E
29	Monday	53	72	75	68	
30	Tuesday	80	84	84	83	

Thermometer.

Maximum on the 30th,	-	-	83°
Minimum on the 25th,	-	-	48°
Difference	-	-	35°
Mean	-	-	60°

Atmosphere.

Days of the month,																		
1	2	4	5	6	8	9	10	11	13				<i>Morning</i>	<i>Afternoon.</i>				
14	15	18	19	20	21	22												
23	24	26	27	28	29	30	24 days	Clear	Clear									
7	12	16	17				4 days	Cloudy	Cloudy									
3							1 day	Rain	Rain									
25							1 day	Rain	Cloudy									

Days of the Month.													Wind.		
8	16	19	25										4 days	N E	
17	18													2 day	E
3	4	7	19	24	27	28								7 days	S E
1	2	15	20	21										5 day	S W
6	12	13											3 days	W	
5	9	10	11	14	23	26								7 days	N W.

On the 30th at noon, Thermometer at 84° the highest. On the 13th, in the morning, at 40° the lowest. Range 44°.

The wind has been 13 days east of the Meridian, and 15 days west of it. Very little rain fell during the month.

Mean temperature of the month 70°, warmer than last April.

The Capture of Fort Du Quesne.—We received the following account of some incidents which occurred on the day of the taking possession of this place, by General Forbes, from an esteemed friend, to whom it was related by Captain Craighead, who commanded a company of Provincials on that day.

On the evening of the 24th of November, 1758, General Forbes encamped twelve miles from this place. During the day he had received intelligence that the French commandant was preparing to abandon Fort Du Quesne. The defeat of General Braddock, only three years before, was too recent to be forgotten, and of course operated as a salutary hint to General Forbes, not to advance rashly. The intelligence, therefore, even if believed, was not relied upon, and was not communicated to the troops.

On the morning of the next day, the 25th of November, 1758, the army advanced from their encampment—the provincial troops in front, followed by a body of Highlanders.

Upon their arrival at the rising ground, just beyond where the turnpike gate now stands, they entered upon an Indian race path, upon each side of which a number of stakes, with the bark peeled off, were stuck into the earth, and upon each stake was fixed the head and kilt of a Highlander, who had been killed or taken prisoner at Grant's defeat. The provincials, being front, obtained the first view of these horrible spectacles, which it may readily be believed excited no very kindly feelings in their breasts. They passed along, however, without any manifestation of their violent wrath. But as soon as the Highlanders came in sight of the remains of their countrymen, a slight buzz was heard in their ranks, which rapidly swelled and grew louder and louder. Exasperated not only by the barbarous outrages upon the persons of their unfortunate fellow soldiers who had fallen only a few days before, but maddened by the insult which was conveyed by the exhibition of the kilts, and which they well understood, as they had long been nicknamed the "petticoat warriors," by the Indians, their wrath knew no bounds.

Directly a rapid and violent trampling was heard, and immediately the whole corps of Highlanders, with their muskets abandoned, and broad swords drawn, rushed by the provincials, foaming with rage, and resembling, as Captain Craighead coarsely expressed it, "mad boars engaged in battle," swearing vengeance, and extermination upon the French troops, who had permitted such outrages. Their march was now hastened—the whole army moved forward after the Highlanders, and when they arrived somewhere about where the canal now passes, the Fort was discovered to be in flames, and the last of the boats, with the flying Frenchmen, were seen passing down the Ohio by Smoky Island. Great was the disappointment of the exasperated Highlanders at the escape of the French, and their wrath subsided into a sullen and relentless desire for vengeance.—*Pittsburg Gazette.*

Harrisburg, May 23.

Aurora Borealis.—One of the most splendid appearances in the heavens, occasioned by this strange phenomenon, appeared on Friday evening last. A belt of streamy light shot up from the south-east like a variegated ribbon, and extended in the shape of a semicircle quite across the heavens.—*Intelligencer.*

Somerset, May 29.

Aurora Borealis, or Northern Light.—We neglected to mention in our last, the appearance of this singular phenomenon. On Friday evening the 17th inst. at a few minutes before ten o'clock, we discovered a streak of light which arose about ten degrees north of a west direction, and at first had much the appearance of the light made by the burning of a house at a great distance, but in the course of ten minutes it had extended clear across the sky, from where it first made its appearance to an eastern direction, leaving a beautiful bright belt, which was visible for perhaps half an hour. North of this belt, the sky had the appearance of a summer's morning in the east a few minutes before sunrise.—

Somerset Whig.

Ebensburgh, May 23.

Singular Phenomenon.—On Friday evening last, about 10 o'clock, a most singular appearance was presented in the sky. A bright and well defined streak of vapour was seen extending across the whole sky, commencing in a narrow line at each horizon, about ten degrees north and south of a meridian, and gradually increasing as it approached the Zenith to a breadth, in appearance, of about four yards. It moved from north to south, and gradually vanished into thin air, after being visible about half an hour. We state the fact as it occurred to us, and leave it to astronomers to assign the cause.—*Sky.*

Blairsville, May 23.

Aurora Borealis.—On Friday evening last the Heavens were brilliantly illuminated by the Northern Lights. Between 8 and 9 o'clock, a beautiful broad white belt was seen extending across the heavens, from east to west—both extremities touching the horizon. It kept moving south until it had apparently passed the sun's path, when it gradually disappeared.—*Record.*

Pittsburgh, May 21.

Aurora Borealis.—This splendid illumination was observed by several persons of this city on Friday last, about 9 o'clock. Its form was circular.

THE REGISTER.

PHILADELPHIA, JUNE 29, 1833.

Andrew M. Provost has been elected Brigadier General of the City Brigade, by a considerable majority over his opponent, Peter Fritz.

Another omnibus has commenced running between the Merchants' Coffee House and Schuylkill, so that one leaves each place half hourly. An omnibus has also been started between Dock street and Kensington.

The business of the new Post Office, in the Exchange, commenced on Tuesday last. The arrangements there made for the accommodation of the citizens, are such, as we think, ought to give general satisfaction.

On the 3d instant, the building Committee "broke ground" for the erection of the Girard College.

There was a considerable freshet in the Schuylkill, last week, which did much damage. In a future number we shall present some details,

An anti-tobacco association has been formed in this city; this is at least, the second in this state; in a former volume, we published a notice of the one at Wilkes-barre.

E. Price, the proprietor of a weekly paper, called the "Tickler," was sentenced by the Mayor's Court, (for a libel against Benjamin W. Meredith,) to pay a fine of \$100, and to undergo imprisonment for the term of six months.

The weather has been uncommonly cool for the season.

We regret to learn that a few cases of Cholera, have appeared in Pittsburg. Our own city continues very healthy.

Of the 276 applicants at the Court this week for the benefit of the Insolvent laws, whose names have been published, there are—

Laborers	34	Jailor	1
Cordwainers	19	Grate and fendermaker	1
Weavers	16	Dyer	1
Carpenters	11	Lottery broker	1
Tailors	10	Manufacturer	1
Accountants	10	Millwright	1
Tavernkeepers	7	Printer	1
Bakers	6	Pencil case maker	1
Blacksmiths	6	Stucco worker	1
Carters	6	Sailmaker	1
Cabinetmakers	6	Wheelwright	1
Grocers	5	Boarding house keeper	1
Merchants	5	Attorney at Law	1
Stone cutters	5	Chairmaker	1
Teachers	5	Drover	1
Bookbinders	5	Draymen	2
Victuallers	5	Contractor	1
Painters and Glaziers	4	Coachsmith	1
Storekeepers	4	Confectioner	1
Waiters	4	Shipping master	1
Not distinguished	4	Grinder	1
Combmakers	5	Cutler	1
Oak coopers	3	Boot cleaner	1
Gentlemen	3	Dentist	1
Hatters	3	Physician	1
Stonemasons	3	Dealer	1
Porters	3	Coachman	1
Comedians	3	Oyster cellar keeper	1
Tobaccoconists	3	Plumber	1
Traders	3	Sugar refiner	1
Jewellers	2	Sheriff	1
Papermakers	2	Collector	1
Pedlars	2	Professor of music	1
Reedmakers	2	Stage driver	1
Watchmen	2	Agent	1
Boatmen	2	Skin dresser	1
Copperplate printers	2	Saddler	1
Farmers	2	Sea Captain	1
Upholsterers	2	Stereotypier	1
Brass founders	1	Soap stone manufacturer	1
Brushmaker	1	Tin worker	1
Boatbuilder	1	Tanner	1
Currier	1	Ship carpenter	1
Coachmaker	1	Watchmaker	1
Carver	1		
Harnessmaker	1	Total	276
Iron worker	1		
Iron founder	1		

Of 2396 FEMALES admitted into the Alms House of Philadelphia, during a period of about two and a half years—commencing with May, 1828.

1,899 were whites,
497 blacks,

2,396

679 were widows,
542 married,
893 single,
282 uncertain,

2,396

Under 1 year	120
1 to 5	81
5 to 10	73
10 to 15	86
15 to 20	178
20 to 30	584
30 to 40	432
40 to 50	257
	— 1811
50 to 60	158
60 to 70	105
70 to 80	56
80 to 90	22
90 to 100	13
100 and upwards,	1
	— 355
uncertain,	230
	—
	2,396

Of those 930, were admitted for the first time.

312	2d
157	3d
79	4th
53	5th
31	6th
37	7th
25	8th
21	9th
14	10th
10	11th
9	12th
4	13th
3	14th
5	15th
6	16th
1	17th
2	18th
2	20th
2	21st
2	22d
1	24th
1	26th
1	28th
688	uncertain.

2,396

NATIVES.

Birth places.	Philadelphia, State,	764 174
		— 938
	Delaware,	149
	N. Jersey,	135
	Maryland,	101
	New York,	34
	Connecticut,	5
	S. Carolina,	4
	Virginia,	30
	Massachusetts,	5
	N. Carolina,	3
	N. Hampshire,	2
	E. Florida,	1
	Ohio,	2
	Kentucky,	1
		— 1410

FOREIGNERS.

	England,	75
	Canada,	4
	Wales,	5
	Scotland,	16
	Ireland,	450
		— 550
	Germany,	55
	France,	13
	West Indies,	11
	Africa,	5
	Switzerland,	3
	Sweden,	4
	At Sea,	12
		— 653
	Uncertain,	333
		—
		2396

With the present number we are brought to the close of the *Eleventh* volume of the Register. Our thanks are respectfully tendered to those subscribers, who have thus far favoured us with their patronage, a continuance of which, with an addition from other sources, is earnestly solicited. We have persevered in this work, against many discouragements, and without remuneration for the time and labor which we bestow upon it. As a depository of useful information, we believe the Register has fulfilled its design; and as such, we would fain hope for more substantial support from the public, than it has hitherto been our good fortune to receive, and without which, it cannot much longer exist.

The index for the present volume will be delivered with the first or second number of the succeeding volume.

Printed every SATURDAY MORNING by WILLIAM F. GEDDES, No. 9 Library Street, Philadelphia; where, and at the PUBLICATION OFFICE, IN FRANKLIN PLACE, second door back of the Post Office, (front room) subscriptions will be thankfully received. Price FIVE DOLLARS per annum, payable annually by subscribers residing in or near the city, or where there is an agent. Other subscribers pay in advance.

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11/11/11

B. A. Mitchell.

2819-91

